MODINAMA

(Work in Progress)

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This is the first series of articles I wrote after I began to systematically study the role of Narendra Modi in handling post Godhra violence and his model of governance.I started this work in January 201. Since then I have visited Gujarat many more times, travelled to diverse regions of the state seeing the impact of Modi's development model on diverse social groups, especially Muslims, and collected lot more material on measures taken to make governance people centric.

Therefore, what I present in this volume is just the beginning of a much larger study. Several more articles in this series are in the pipeline. I hope to publish them soon in the form of a book.

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Narendra Modi through the Eyes of Gujarati Muslims, Christians and…

When some pockets of Gujarat were convulsed by violent riots in February 2002, I too accepted the version presented by the national media as well as our activist friends and assumed that Modi was complicit in the Gujarat riots of 2002. Therefore, I too signed statements against Modi, published articles sent to Manushi indicting Gujarat government. We also raised funds for riot victims. However, I refrained from writing anything under my name because I did not get the time to visit Gujarat and experience and assess the situation first hand. My earlier experience of covering various riots as well as conflict situations in Kashmir and Punjab had taught me that media reports cannot be trusted enough to take a definitive stand on such issues since they are often coloured by the ideological prism used by the writer. Therefore, I refrained from making statements on Gujarat.

Having spent a lot of time covering major riots—including the 1984 massacre of Sikhs, series of riots in Meerut, Malliana in the 1980's, Bombay 1993, Jammu 1989 and having closely studied several others like Biharsharif, Bhiwandi, Jamshedpur, and series of riots in Ahmedabad, Surat, etc, I knew that barring Delhi 1984 all others were jointly orchestrated by the BJP and Congress. Even in the communal polarisation due to Babri Masjid demolition the Congress Party had been an equal partner in crime with the BJP.

This dubious role of the Congress Party –at total variance with the ideological grounding of the grand old Party crafted by Mahatma Gandhi—played an important role in marginalizing the Congress in large parts of India. Knowledgeable Gujaratis told me that even in 2002 Congressmen avidly joined Sangh Parivar mobsters in carrying out communal killings, arson and loot. One also knew from earlier reports and later heard through informal networks that there was a lot of retaliatory violence by the Muslims which led to thousands of Hindus also suffering substantial losses and ending up in refugee camps.

Therefore, when BJP in general and Modi in particular, began to be singled out for attacks and demonised as no other politician before or after in known history, one felt an instinctive uneasiness about Hate and Oust Modi campaign. This uneasiness grew as it became obvious over the years that most of the NGOs, activists, journalists, academics involved in Modi's demonisation enjoyed active patronage of the Congress Party and some even got huge financial support for carrying out a sustained campaign against Modi.

Even during the anti-Sikh massacre of 1984 in North India the slogan of those of us who worked with victims and documented the unprecedented massacre was-- "Punish the Guilty"-- though the complicity of the then Prime Minister Rajiv Gandhi, Home Minister Narasimha Rao, Lt Governor of Delhi P.G Gavai was brazen. But neither the PM nor the Home Minister or the Lt Governor were personally demonised.But in the case of Gujarat riots of 2002 the entire discourse came to centre around just one man!

In a recent interview with me, **film script writer Salim Khan** made an interesting comment: "Does anyone remember who the chief minister of Maharashtra was during Mumbai riots which were no less deadly than the Gujarat riots of 2002? Does anyone recall the name of the chief minister of UP during Malliana and Meerut riots or Bihar CM when the Bhagalpur or Jamshedpur riots under Congress regimes took place? Do we hear the names of earlier chief ministers of Gujarat under whose charge hundreds of riots took place in post-Independence India? Some of these riots were far more deadly than the 2002 outburst. The state used to explode into violence every second month? Does anyone remember who was in-charge of Delhi's security when the 1984 massacre of Sikhs took place in the capital of India How come Narendra Modi has been singled out as Devil Incarnate as if he personally carried out all the killings during the riots of 2002?"

Why just distant riots, does anyone remember the fate of hundreds of thousands of Bodos and Muslims who were uprooted from their villages in July 2012 because their homes were torched and destroyed? As of 8 August 2012, over 400,000 people had taken shelter in 270 relief camps, after being displaced from almost 400 villages. The Assam chief minister delayed deployment of the Army by 4 days even though large number of Army units are stationed right there Assam. Thousands are still living under sub human conditions in refugee camps. Why are those riots already forgotten?

I also found it puzzling that almost all of those who have led the Hate Modi campaign are neither Muslim nor residents of Gujarat. Three of the most prominent figures of anti Modi Brigade from within Gujarat are not Muslims. Whenever a Gujarati Muslim has tried to speak in a different voice, he has been attacked viciously and made to pay such a heavy price that people just shut up in terror. The highly respected and eminent Muslim scholar, Maulana Vastanvi was forced to resign as Vice Chancellor of Deobandh simply because he said Gujarati Muslims had benefited from the inclusive development policies of Modi's government. Shahid Siddiqui, the editor of Urdu daily, *Nai Duniya* was attacked and abused endlessly for simply doing an interview with Modi in which Modi defends himself against various charges leveled against his government. Siddiqui fell in line within no time and began singing anti Modi songs on TV.

The political discourse in India is so vitiated by Modi phobia that even if you express happiness at the quality of roads in rural Gujarat or 24x7 power supply in the villages and towns of Gujarat, you are branded a "supporter of fascism." It is politically fashionable to defend Kashmiri secessionists, press for peaceful engagement with the Pakistani establishment which sends terror brigades to India and project murderous Maoists as saviours of the poor. But to say a word in appreciation of governance reforms in Gujarat is to commit political hara-kiri—you are forever tainted and tarred with the colours of fascism.

This intellectual terror created by the anti Modi Brigade pushed me to find out for myself why this obsessive anxiety about Modi? Why do "secularists" not want to be reminded that Gujarat has been riot free since 2002? Why don't they want to document what made Gujarat—a state that witnessed hundreds of riots post-Independence leading to deep mutual estrangement between Hindus and Muslims—experience its first riot free decade after Independence under Modi's rule? What do Gujarat Muslims have to say about it? Why they are not allowed to speak for themselves?

The demonization of Modi is based on the following charges:

- Modi is Anti-Muslim and anti-Christian;
- Modi allowed Muslims to be massacred in order to consolidate the Hindu vote bank.
- Religious minorities live under terror under Modi's regime as second or third class citizens;
- Muslims are being ghettoized and impoverished through discriminatory state action;
- They have begun voting for Modi because of fear of reprisals by Hindutva forces.

I began my study of Gujarat riots driven by the following questions:

- What is unique about Gujarat riots?
- What was Modi's personal role during those riots?
- What do Muslims of Gujarat have to say about those riots?
- If Modi critics are right about Gujarat being a deeply communalized society with Muslims living as a terrorized minority, how come the state has witnessed no riots since 2002?
- Why is the percentage of Muslims voting for Modi increasing with every election? Is it out of terror?
- How come hundreds of Muslims have won panchayat, zilla parishad and municipal elections on BJP tickets?

My study of Gujarat will also cover an analysis of Modi's Development Model which would include studying the nature of governance reforms, including police reforms since they are supposed to be intrinsic to his economic development model.

Modi claims his Gujarat development model is "Inclusive" while his critics reject it as "pro-corporate and anti- poor", "pro-elite and anti farmer" as well as "majoritarian and anti minorities", I will be looking closely at how the hitherto excluded or marginalized populations – small farmers, tribals, Dalits, Muslims, Christians – view it. Has it facilitated inclusion and upward mobility for them or are they being further marginalized? The accounts I share in the following pages provide very small glimpses of this. I intend to study them in depth.

I began my Gujarat journey by talking to a section of Gujarati Muslims and visiting their homes and neighbourhoods. This is a modest beginning in sharing what I learnt from my first visit to Gujarat and studying the court cases against Modi. What I have unravelled thus far is just the tip of the iceberg. I plan multiple visits to Gujarat in the coming months to study all this in depth.

I start with an account of 2002 riots because the stigma of those days has stuck to Modi like a leech casting a dark shadow over all else he does. It is based on interviews with key people whose experiences and statements deserve to be taken seriously. I am well aware this will upset many of those who have convinced themselves or have been persuaded by others they trust that Modi is the Devil Incarnate. However, my appeal to those well-meaning people who have caught the anti Modi virus because it is in the air is simply this: I am sharing with you factual accounts by people who are widely respected in Gujarat. They are providing concrete evidence of why they find the demonization of Modi unacceptable.

After the 2002 riots, Zafar Sareshwala – A Gujarati Muslim – was among those who led an international campaign against Modi. He became a celebrity when he announced his intention to take Modi to the International Court of Justice. But very soon he decided to change track.

At a time when Modi had been made into a national and international hate object, Zafar had the courage to start the process of engagement with Modi. He did this despite the fact that his own family suffered huge losses in the riots of 2002. Their factory was totally gutted. They had also suffered similar losses in numerous earlier riots as well in the 1960's, 1970's, 1980's, and 1990's. Every time their business establishment was burnt down and they had to start afresh.

Zafar paid heavily for this "politically incorrect" step. He was attacked not only by fellow Muslims but also the national and international media as well as activist networks for having "sold out" and betrayed his community. The very same people who treated him as a hero for having led the anti Modi campaign defamed him with ferocity.

I had heard small sound bytes of Zafar on TV debates on Gujarat in recent months. But our TV anchors were determined to prove Modi a mass butcher and a fascist, so they rarely allowed Zafar to finish his sentences. It was clear he was being brought in as a token voice to make the Hate Modi campaign appear more "balanced".

I met Zafar on January 11, 2013 in Ahmedabad at the Gujarat Summit. I attended it to check out for myself whether the systematic trashing of the Gujarat development model by Modi haters was justified. But a chance meeting with Zafar and his willingness to spare time to talk to me shook me to the core. It presented a diametrically opposed picture of Modi based on first-hand experience than the one presented by the Hate Modi Brigade—almost all of whom have never exchanged a sentence with Modi, leave alone engaged with Modi in a serious manner. My video recorded conversations with Zafar Sareshwala run into several hours. They did not end with the two sessions we had in Ahmedabad, one in Mumbai and one in Delhi. I recorded several conversations on skype and took notes during several phone conversations from Delhi.

The factual and perceptive account provided by Zafar forced me to look closely at official records and the SIT report. I double checked the facts of his narration with several other sources. I did not find a single inaccuracy in Zafar's account.

Zafar Sareshwala has set into motion a new phase of Muslim politics in Gujarat. I believe it has historic implications for Muslim politics in all of India.

I have interspersed his narrative with supporting evidence from other people. The text below is a mix of conversations with Mahesh Bhatt, Rajat Sharma, Salim Khan, Asifa Khan, V.V. Augustine, Rais Khan Pathan and select bureaucrats of the Gujarat government who for understandable reasons prefer to remain anonymous.

Most of these persons, spoke in a mixture of Hindustani and English. VV Augustine spoke only in English while Rais Khan spoke in Hindustani. I have translated each of these accounts personally to ensure accuracy of meaning even while I took liberties with rephrasing and rearranging sentences to make the text more readable.

At one time I was curious to meet and talk to Narendra Modi. But as I started with this study, I decided to avoid meeting or talking to him, till such time as I have got a good grasp of the ground reality. I would rather get to know him through his work and how his work and persona is perceived by officers of the Gujarat Government, his political colleagues, and ordinary Gujaratis, especially Muslims and Christians. This is a small beginning in what promises to be a long journey. **Portions marked in blue italics are either my questions or comments.**

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*I begin with **Zafar Sareshwala's** account because it is he who triggered in me a deep interest in trying to understand the Modi phenomenon in depth.*

"I belong to the Sunni Bohra community which had migrated from Saudi Arabia about 250 years back. Sunni Bohras are not to be confused with Daudi Bohras who constitute a very small insignificant part of the Muslim population. By contrast, Sunni Bohras are a huge community spread all over Gujarat. Sunni Bohras are very orthodox Muslims. But we are successful as small and medium entrepreneurs. Most of the madarasas in Gujarat are run by the Sunni Bohras. Islamic scholar Maulana Vastanwi, is also a Sunni Bohra. People only talk of Deoband, but there is an equally old madrasa of Sunni Bohras in Dabhel, which was set up almost more than 100 years back.



Zafar's wife Asiya

"We are absolutely puritan Sunni Muslims. This is a norm among the Sunni Bohras community that we pray five times a day and our ladies are in burkas. But despite being religious, we are highly educated as a community. My physical appearance and "image" is that of a stereotypical Muslim. I have a beard, my wife wears a burkha, we pray 5 times a day, we've done Hajj and we follow every Islamic tradition. But our views are enlightened precisely because we take the teachings of Islam seriously.

"People who go on and on about the 2002 riots choose to forget that it was a culmination of an endless series of riots. The worst riot in post partition India happened in 1969 in Ahmedabad; more than 5000 Muslims were killed in that massacre. But because there was no 24x7 media, no one outside got to know because those earlier riots were not documented. It was a small incident involving a cow but it led to a shocking outburst. At that time, Gujarat was under the Congress Party's Hitendrabhai

Desai's regime while Indira Gandhi was in power at the Centre. During the 1969 riots our office, factory, everything was burnt down. There is an area called "Kalupur which is the heart of Muslims neighbourhoods. In that locality, the police station is situated on Relief Road. Right opposite that police station, there is a mosque and several Muslim shops. That mosque and the shops were burnt down. When Mrs Indira Gandhi visited the riot affected area, she visited that spot. I still remember, I was 5 years old, my grandfather was present when Indira Gandhi got down from her car and said, 'Here is a police station, and 40 metres away, a mosque and Muslim shops are set on fire. She got down from her car, called her sentries and told them to measure the distance. How on earth is it possible that right opposite the police station Muslim shops were burnt? In the 1969 riots Muslims were systematically massacred.

"Forget about punishment, not even a single charge sheet was filed. The Jagmohan Commission report is there for everyone to see. Whole communities were wiped out, without a trace. Why are people not talking about those victims? In 1969, 5000 Muslims were massacred in Ahmedabad alone. Has anyone documented where these 5000 families have gone?

"Then there was another major riot in 1985 preceded by several smaller ones. It went on for months on end. Again my factory was set on fire as also our house. In 1985 Madhavji Solanki of Congress Party was in power in Gujarat and Rajiv Gandhi at the Centre. Between 1985 and 2002, people came to expect that after every 2-3 months there would inevitably be a riot. There was curfew for 200 days. During the 1987 riots also Amar Singh Chaudhury of the Congress party was the CM. This was followed by the 1990 riot. At that time again Congress Party's Chimanbhai Patel was the Chief Minister. Again our factory was burnt down. In 1992 also it was burnt, Chimanbhai Patel was the Chief Minister even at that time.

"Every Dalit riot was converted into an anti-Muslim riot whether in 1981 or in 1985. In every riot, our office and factory was burnt down and we were subjected to great indignities because the police would not even accept our F.I.R. In those days a Muslim could never get an FIR registered. After that we were humiliated by the insurance company. I remember in 1992, my business was almost in 'full bloom'. But our entire factory was reduced to ashes. We had an insurance of Rs 1.5 crores in 1998.The insurance company gave us a cheque for Rs.9 lakh. Has anyone documented what happens to the Muslim establishments that are burnt down? Was every insurance company run by Narendra Modi?

"After each riot, it is the same Hindus who help the rehabilitation of Muslims. I always say this, if the Gujarati Hindus were 100% communal, the Muslims would have been destroyed long ago. It is because these Hindus are not communal that Muslims continue to prosper in Gujarat.

"After the 2002 riot, we were financially wiped out because we were in the stock market. Financial losses to a Muslim, who employs 250 people, is not a joke. At least 250 families receive their ration through me. We couldn't square the position, our bank guarantee was encashed. The nationalized or private banks that refuse loans to Muslims are not run by Narendra Modi.

“For example, after the riot, in order to rebuild ourselves, I approached ICICI bank and was ready to mortgage my house for a loan.

At the last minute, the relationship manager tells me, ‘Zafarbhai, the letter “M” will bite you. There’s an unwritten law to not give loans to ‘Ms’. He said there are negative lists. Does Narendra Modi make those lists? Only Muslim areas come under negative lists like for living in areas Kalupur, Jamalpur. If you have a house there, you are in the negative list. In Paldi, they only kept Faiz Mohammed Society in the negative list because that’s a Muslim colony. They did not give us a loan although we fulfilled all other qualifications.

“Even though I was in England at the time of 2002 riots, our main family business is in Ahmedabad and we suffered heavy losses. One felt a sense of despair that there is no one to speak for us. I used to live in Dewsbury. Three Gujarati Muslims from Dewsbury were murdered near Himmat Nagar during those riots along with two others. They had gone to visit their ancestral village in Surat district and did not know about the riots. So they got caught in the frenzy of that fateful night of 27th February near Himmat Nagar. They were dragged out, brutally killed and badly mutilated. One of them named Aswal was my neighbour in England. People were shaken and horrified and we thought that now was the time that we do something. We decided to take Gujarat government to the International Court of Justice. In fact, at that time Mr L.K. Advani who was then the Home Minister, was due to come to the U.K, I filed a case against Advani in the London High Court that this man should not be allowed to enter U.K because those days Louis Farrakhan, of the Nation of Islam -- an ultra-right wing black movement -- was scheduled to come to UK but UK government did not allow him entry.

“I said that when you can stop the entry of Farrakhan, Advani should not be allowed either. My case was admitted in the London High Court. Mr Advani went back from Spain because he did not want to face the embarrassment. That case was dismissed, but I wanted to make a point. It was not about Modi, it was about the administration.

“We hired a leading British law firm to present our case, we spent money, and we were building a case against Modi. As the matter proceeded, I realized I was becoming a hero. I felt uneasy and I asked myself: suppose we file this in the International Court of Justice, Ok, it will come on TV and I will become a poster boy of the anti-Modi movement. But what is the likely outcome? At that time *Intefada* movement was at its peak. But a peace movement between Palestinians and Israelis was being initiated by the US. At that point of time, the Palestinians were going to sit down with Sharon, Perez and this whole meeting was to be organized by George Bush. The Palestinian issue had been dragging on for at least 60 years. But what did they achieve? We were also watching the condition of Muslims in the rest of the world. We fought wars, did everything we could. What did we get from it all? I used to be very disappointed when I used to see the fate of Palestinian. There were 3 million refugees in Lebanon living in terribly squalid conditions. Even Bharatnagar or the slums of Mumbai were heaven compared to these poor Palestinian camps.

“I thought, if they had entered into negotiations earlier, these 3 million refugees could have lived settled lives. And who decides what Palestinians or Gujarati Muslims should do? These armchair critics? They are sitting in their plush offices in 9 to 5 jobs getting

7 figure salaries. All they do is sending off emails. It is we who have to live and die in Gujarat. And these guys control us. They don't want to come to India, they don't want to visit Ahmedabad, and they don't care to do anything concrete.

It also broke my myth about Pan-Islamisation. I used to think Islam is one. But I came to realize Arabs are Arabs and Pakistanis are Pakistanis. Forget Gujarat, even within India, Lucknow Muslims are Lucknawi. They don't care if Gujarati Muslims die. The worst was when I realized that if you are Ahmedabadis, even Surat Muslims will not come to save you.

"I used to go from mosque to mosque in England to beg money for 2002 riot victims telling them, you don't need to give me money. Send it directly to victims or community NGOs working for them. People need money, we need to build houses. My immediate reaction at that point of time also was that we should not make beggars of our community. When I used to hear about refugee camps, I used to tell my brother, For God's sake, do something to get these refugee camps closed. Don't allow Muslims to become a beggar community.

"It is not that I could not have gone on with my cushy life living in England. I was running a financial services company. I was part of the team along with a renowned Shariah scholar in creating financial products regulated by the Financial Services Authority (FSA) of the UK. I set up the first Islamic Equity Fund in the world. I was lecturing in Harvard and at the Islamic Institute of Finance in London. I had given this whole idea of the Islamic finance, Islamic funds. That was my field. But when I saw the apathy, it hit me very badly. Nobody cared about those dead, or those whose dear ones died. The rest were happy in their own world. Gujarat had become a topic of drawing room conversations over kebabs. And I was horrified with that. I told myself, we don't want such people; we don't want their sympathy. But I had already waged this war against Modi. I could not even return to Gujarat. With that as backdrop, I thought whether it is Gujarat or any other issue, unless and until we sit down and talk, the problem can't be solved. Then I asked myself, if one has to start the dialogue, who do we begin with? Why not Modi himself?

"I discussed this with 2-3 prominent Muslim scholars. At that very time we got to know that Modi sahib was coming to England on 17 August 2003 in connection with the first Vibrant Gujarat Summit. I thought let's meet him and ask, 'What is your problem with us? You are yourself from Vadnagar where you have lived with Muslims.' I put forward this idea to some wise Islamic scholars in England. They said: "If you want to solve the problem, then you must talk to Modi. If you don't care to solve it, then keep fighting. But remember you are going to face a lot of trouble – you can't even imagine the extent of it." I said: "Forget all others. What do you think is the right thing to do Islamically? Guide me on the basis of Quran and Hadith.

They recited 10 Hadith to me and read *aayats* from the Quran to say 'yes you should have a dialogue in the interest of peace. One of them quoted Suleh Hudaybiyyah and asked me, "What is your intent behind this move?" I said: "Maulana, I have no other intention except finding a solution. In the post-riot situation, Muslims have lost all connection with the administration. You can't live in an environment where you are totally cut off from the administration. You have schools to run, you have hospitals, and you have madarasas.

At every single step we need the government to talk to. Whom do you talk to?'

"These wise maulanas gave me courage. Then I asked myself how to bell the cat? How does one meet Modi?

I was already notorious for leading anti Modi campaign and taking the matter to the International Court of Justice. So I approached my friend **Mahesh Bhatt-** a prominent Indian film director, producer and screenwriter, who is actively involved in democratic rights issues, especially the rights of Muslims in India]. He is one man who reached Ahmedabad on the very third day of the riot and stood consistently by the Muslim community. He said to my brother, "it is my deepest desire that you once again become financially strong. For this whatever help you need, I am ready to give".



Mahesh Bhatt and Zafar Sareshwala

"I have seen over the years, Bhatt sahib is an honest man. So I told Bhatt sahib of the new developments and said, "Narendra Modi sahib is coming to England. It is my desire that we meet and talk to him." Bhatt sahib said, "Sure you must meet. All problems have been finally solved on the dialogue table. They had World War I, World War II. Ultimately, all decisions were taken on the negotiating table."

"Then I asked Bhatt sahib, but how do we meet Modi? He replied, "If you want to meet him with the intention of finding solutions, let me figure out how to help you." Some days later, Bhatt sahib called back saying, "My friend Rajat Sharma is very close to Modi. I've talked to him. Rajat Sharma says you should send him an email stating why you want to meet Modi."

"So I sent an email. I was not apologetic about anything. I wrote plainly, "Yes we had fought Modi. But now we feel that we have exhausted all the battle options and realize nothing will come out of it. I will become a hero in the process but I don't want to become a hero. Therefore, I want to meet Modi and ask him, what is your problem with Muslims?" He forwarded my email to Modi sahib. I am told at first Modi got very agitated saying 'Zafar Sareshwala has created so much *gadar* against me, led so many demonstrations against me.' But I think he must have also looked into my family background and found that we are good people. I had stated very clearly that we have no agenda. We just want to meet and talk about 2002.

“Please note that we met Modi when he was not yet a hero. Modi was the most hated figure; he was called Milosevic, Hitler and so on. You have to understand that background. There was no question of asking for any favours from him. Now, there is a long line of people waiting to meet Modi sahib and competing with each other to praise him to the skies.

“So this meeting was fixed through Rajat Sharma who told us that Modi was coming to London on the 17th of August. I then told Rajat, “Sir, why you don’t also come along?” He said, why do you want to drag me into this mess? I told him, if you are there it will be good for us. So Rajat Sharma flew with Modi from Delhi to London.

"Modi sahib asked us to come and meet him in some hall in Wembley. I replied saying we want to meet you in private. He agreed and called us at 5 p.m. to St James Court where he was staying. Here we were praying in anxiety about our first meeting with Modi when bang came the first headline against me: Zafar Sareshwala takes a U-turn on Modi.” I was attacked furiously by the very same people who treated me as a hero earlier.

"I said to my critics: Look, if you are so opposed to Modi, then you should have found a way to defeat him in elections. After all, Modi has won the election with 2/3rd majority. This election was not rigged. People have voted for him. If you are so clever then you should have defeated Modi. You can’t defeat him in elections but sit here opposing him? You will not let others even talk to Modi!

"I issued a statement saying: ‘We welcome Narendra Modi who is the democratically elected Chief Minister of Gujarat’. All hell broke loose on me after that one statement. All the newspapers went after me. And suddenly from a hero, I became a villain. Many of the big shots of England came to dissuade me from meeting Modi. I did not listen to any one. I told them I consider this path right. I have no personal agenda. When the Palestinians can sit down with Sharon, why can’t we sit down with Modi? And you cannot call Modi Sharon by any yardstick!

"The maulanas told me, when we can talk to our enemies, Modi is after all our own. We can catch him by the collar *(girehbaan*) because he is one of us. It was the courage of these 2-3 maulanas and the guidance from Quaran and Hadith that gave me the strength to say, even if 100 crore Muslims are against me, I am not going to give up this path. But I faced hell even before I met Modi. I received 1100 hate mails from across the world. I thought this is my Jehad.

"We were to meet Modi sahib at 5 p.m. Five minutes before that I get a phone call from Mahesh Bhatt. In his inimitable style he said: “Zafar bhai, you are going to meet Modi. If you cannot look at him straight in the eye and say that there cannot be peace without justice, then don’t go.” I said, Bhatt sahib, he is the chief minister, he is in power. I have no idea whether he will give us 2 minutes or 5. He might just say, “Give your petition and goodbye” He said: “OK we will pray that you get to say it all. Just go.” So I, my brother and a renowned Muslim scholar went to meet Modi. Because I am a businessman, I could absorb the onslaught. But the poor Maulana, oh my God, he was branded as *kaafir, bahut zaleel kiya unko*. He was humiliated no end!"

*Since **Mahesh Bhatt** has been one of the fiercest critics of Modi in the media, I found it hard to believe that he had encouraged Zafar bhai to start the process of engagement with Modi. Therefore, I took a special trip to Mumbai to confirm the version of Zafar and also find out whether he had come to assess Modi differently after a new process of engagement between Modi and the Gujarat Muslim community began following Zafar's historic first meeting in August 2003. Mahesh Bhatt endorsed every word of Zafar's account.*

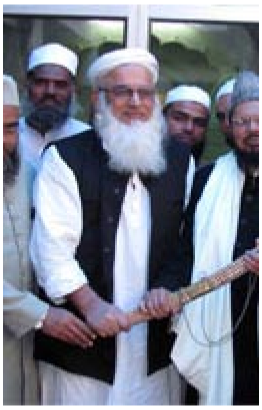
*This is how **Zafar** describes his first ever meeting with Modi.*

"See how Modi met us! He kept track of what time we arrived in the building and came to the elevator to receive us. I was really nervous about the outcome of this meeting. He shook my hand and broke the ice saying in Hindi: "*Aayo yaar* !" Inside, there was a jhoola (swing). He made me sit next to him on the jhoola. Because at that time Modiji used to talk of Gujarati asmita (identity),I said to Mr Modi you are a slightly diluted Gujarati than me. He said: How come? I replied: You know that I am an Ahemadabadi and Ahmedabadis by all accounts are the purest of all Gujaratis while you are from Vadnagar. You are a very impure Gujrati. He said: "Yes, you have a point."

"About 8-10 people were present during that meeting, including Rajat Sharma. I began by saying, 'you have come here for Vibrant Gujarat, for the economic progress of Gujarat. But this economic progress will remain empty without justice. The West rules the world because these countries ensure justice to their citizens. And our country is in a mess—here I am not talking of Muslims alone—because every one of us faces injustice in our country. There cannot be peace without justice.'

"After that the Maulana gave a long sermon to Modi on the value of justice. A very top notch industrialist from Gujarat was also sitting there. He kept looking at his watch. Modi had some other big program fixed for that evening. But he told him, "Stop looking at your watch. I am going to spend time with these people now". He then told us, "Take all the time you want, and say all that you want to tell me."

"Then we began talking of all the riots and asked him: what were you doing on the morning of 27 February 2002? Why did you not call your police and the army? Why did you not go to Juhapura? Why did you not visit refugee camps? The questions that the SIT asked of Modi much later, we asked him all those questions that day. And yet we were accused of going to meet Modi to curry personal favours with him! Can there be a bigger lie than that?



Maulana Isa Mansuri

"Maulana Isa Mansuri was very tough on Modi, but Modi treated him with great respect because the Maulana is a great scholar. Modi kept listening, which was least expected from the "*Hindu Hriday Samrat*" (The Emperor of Hindu Hearts).Maulana said to him, "Modi sahib, forget everything else, help us get justice. If you do that you will automatically surge ahead. We are not talking of justice only in relation to the Muslims who are only 15 % of the population. Hindus are bigger victims of injustice. Make justice available to all." Maulana literally made Modi stand in the dock. It is Modi's maturity that even after winning the election with a thumping majority, he listened to all of that.

"My younger brother Talha was there for that meeting, he had come from India for it. Talha had seen it all and was actively involved in relief work. I told Modi, "Look, no one can deny that a 1000 plus Muslims were killed. I only ask you, whatever happens between Palamapur and Vapi, between Bharuch and Jamnagar—good or bad- the buck will stop with you. You are our chief minister.

Whenever there is a problem, whoever is in put in trouble—whether Hindu or Muslim- it is your responsibility. We will always have the right to ask you: why did this happen under your charge?

"To this Modi replied: Yes, this blot happened during my tenure and I have to wash it off.*('Haan ye mere kaal ka kalank hai, aur mujhe usko dhona hai')*. People told us Modi never says sorry. I said, what does sorry mean? If this Maya Kodnani comes and says sorry to Muslims, will she be forgiven? We have a criminal justice system in this country which does not accept sorry. What will Narendra Modi's sorry mean to us? We will judge his sorry from his actual doings.

"We did not beg for any concessions from Modi. We did not say, 'do this, do that for us'. My first statement to Modi was: you answer this one question before we proceed any further: 'You talk of 5 crore Gujratis. Are the 60 lakh Muslims included in the 5 crore? If the answer is 'yes', then we talk further. But if you say that 'I am the chief minister of only the 4.5 crore Hindus of Gujarat', then there is nothing to say.

"He said, 'Of course you are mine. Among the 5 crore Gujratis you are included. When I bring Narmada water into Sabarmati River, do I stop it flowing through Muslim settlement of Juhapura? Who are the biggest beneficiaries of Sabarmati waters near Nehru Bridge?'

"After hearing us out with patience, Modi said some of your points are valid but many are exaggerations. Modi described how in February 2002, he was very new to administration. He was suddenly sent as chief minister of Gujarat in 2001, just three and a half months before the riots since BJP was in doldrums and the Keshubhai Patel government had performed very poorly. His mandate was to clean up the mess and win the December 2002 election for BJP. Then he explained to us all the steps he had taken starting 27th February under very challenging circumstance.

"We saw the point because in contrast to the 2002 riots which lasted 3 days, the riots during Congress regimes used to go on for months on end with some of these earlier riots producing a far higher death toll. The police as well as the administration were thoroughly communalized. It was widely known that the BJP/VHP etc patronized Hindu dons while the Congress party patronized Muslim dons. These organized criminal mafias functioned with impunity due to political patronage. The coastal belt of Gujarat in particular was dominated by smuggler mafias importing gold and other contraband from Dubai.

"This was the Gujarat inherited by Modi, a virtual outsider to governance, in November 2001. When he had to select a constituency to enter the Gujarat assembly as an MLA, he could not persuade Haren Pandya to vacate a "safe" seat for him. There, he fought from Rajkot. He was declared elected on February 26, 2002. It is perhaps not a coincidence that the very next morning, which also happened to be the day for presenting his first Budget to the Assembly, Modi was confronted with the gory Godhra massacre. We were touched by the fact that he listened very carefully and gave us proper answers. He had all the facts on his fingertips. We had thus far experienced that Muslims don't get a proper hearing from any one. We experienced the riots of 1969, of 1985, 1987 and 1992. No chief minister had listened to us. All those were Congress Party chief ministers. They never talked to us.

I remember when after the 1992 riots, a delegation comprising top echelons of Ahmedabad's Muslim community went to meet Narasimha Rao, he made them wait for 4 days without the slightest thought that they had come in the month of Ramadan. I refused to go to meet Narasimha Rao saying I cannot swallow such humiliation that I go and plead with the prime minister with folded hands. Why should I grovel before anyone for my democratic rights? But my uncle went. Rao did not meet the delegation on the day of the appointment. So my uncle came back saying, what is the point of meeting a man who does not meet you on the day he has given you time?

"Other delegation members kept waiting for 4 days. On the 4^{th} day they were given 2 minutes. That was the status of Muslims in the Congress party! And what kind of Muslims were these? The top echelons of Gujarat society. You can count them as the Tatas and Birlas of Muslim of community. I told myself I will never in my life go with a begging bowl to anyone. This appointment had been fixed by **Ehsan Jafri** who was my father's closest friend for 60 years. Do you think we are not pained at to the way Ehsan Jafri was hacked to death on the very first day of the riot? He talked to my father that very morning before he was butchered."

Ehsan Jafri was a former Congress MP of Gujarat. He had joined the Congress of Indira Gandhi in the 1960sand was heading the city unit by 1972. In 1977, after the Emergency when the party was routed in most Indian states, Ehsan managed to win the Ahmedabad seat and became a Member of Parliament in the 6th Lok Sabha. Thereafter, he remained active in the party and held several key organizational posts in the Congress Party Administration in Gujarat. His house was also burnt down in the 1969 riots.

To continue with Zafar's story:


Ehsan Jafri

"Ehsan Jafri was one of the oldest leaders of the Congress. He was their MLA. But how did the Congress Party treat him? Congress had so much power in Gujarat. They dominated the Municipal Corporation. Why did they not save Ehsan Jafri? Who was stopping them? He phoned his party people for help but they didn't go to rescue him. Congressmen were in the mob that killed him.

"Even for a second it did not feel as though we were talking to a chief minister. I am not one of those up on sale, that Modi would dangle this or that to me and I would be won over and start praising him. Then Modi said, "OK tell me about the problems of today. Tell me, if there is any mosque still under illegal occupation of Hindus; give me the names of those who have not received compensation. Come to specifics." I said, Modi sahib we did not come prepared for this. We only came to ask you what your problem with us is. Modi then took out a paper, and said, 'this is my phone number. Narendra Modi is available for you 24x7 – whether you need him at midnight or at 5 a.m. I give you my promise, I will give you justice.'"

Did you make an audio or video recording of that meeting?

"We didn't record anything because we did not think that the meeting would last two and a half hours, we thought we would only get five minutes. Normally a chief minister or prime minister does not talk to a common man at such length, they only ask them to submit a petition and leave. We spoke with him for two and a half hours, every small detail was discussed."

To double check the facts, I met ***Rajat Sharma*** *[a BJP insider, chairman and Editor-in Chief of India TV, (a Hindi news channel in India] who described the meeting in the following words:*

"Maulana Isa Mansuri did not let Modi speak for an hour; he spoke in the harshest tones and words. *Usne to bakayda Modi ki class laga di.* But Modi did not interrupt them for a minute. After they had finished Modi responded in detail with facts of each case they narrated. He knew each incident in depth and challenged the veracity of many of the alleged atrocities while conceding several lapses where government failed to reach help. Then he told the Maulana – "You know very well, I had been chief minister only for three and a half months. When this happened, I had no experience of administration. I had not even been an MLA till then. Therefore, I did not have full grip over the administration. But think of the number of Hindus that got killed in police firing. But no Muslim was killed by police bullets. How many places I sent the army." He convinced them that stories of pregnant woman's wombs being ripped open were all bullshit exaggeration. He also narrated how many relief camps he visited, how he helped Muslims in rehabilitation.

The Maulana then said, “If this is all true, then why don’t you say it openly? Modi said, “You will not see me fail you in action. But don’t ask me to say it openly. VHP types will wipe me out. Elections are right round the corner.” Rajat Sharma also described incidents involving certain madrasa and Muslim housing complexes which corroborated Modi’s claim that he had responded promptly to all calls for help. I did cross check some of these incidents with people in Gujarat and with other sources."

*One such incident was described by **Syed Shahnawaz Hussain** who is one of the most prominent Muslim leaders of the Bharatiya Janata Party. He was also a former Cabinet Minister in BJP led Government. To quote what he told me:*



Shahnawaz Hussain

"There is a madrasa near Chhota Udaipur run by Ghulam Vastanvi’s educational trust. During 2002 riots, this madrasa was surrounded by a riotous mob. About 400 students were trapped inside the madarasa. Some Muslims of the area phoned me since I was a minister in the Vajpayee cabinet. I called Narendra Modi and informed him about the imminent danger to the lives of all those students and requested quick action. In each case, Modi fully cooperated. But the news that came out was all negative. They talked of killings but made no mention of all those who were saved due to timely interventions.

How come there have been no convictions of those who carried out massacres in Moradabad, Bhagalpur Meerut and numerous other places? During the regime of Nehru, India witnessed the maximum number of riots. There were terrible riots during the rule of Indira Gandhi and even Rajiv Gandhi. Gujarat was riot prone even before independence. But they made it out as if riots during Modi regime were communal and all others in Congress regime “non-communal”."

*Hearing all these accounts I recalled an incident narrated to me in 2003 by **Najma Heptullah** about approaching Modi during Gujarat riots. At the time,, she was the Deputy Chairperson of Rajya Sabha as a Congress member. She is the grant-niece of Maulana Abul Kalam Azad, a prominent Indian freedom fighter, a close colleague of Mahatma Gandhi and a strong proponent of united India. Azad was the first Minister of Education after independence. Heptullah joined the BJP in 2004. I phoned and reconfirmed the following account in February 2013:*

“At the height of riots, I got a phone call from the Aga Khan’s office that a colony of Khoja Muslims in the midst of Hindu areas, feared attacks. She phoned Advani who was then the Home Minister in Vajpayee’s NDA government. Advani in turn talked to Modi. Within minutes, Narendra Modi called me and said: “Najma ben, please don’t worry. I will personally oversee this and ensure their safety.”

And true to his word, Modi immediately sent the army to protect that colony and no harm came to it. Local Muslims told me that since it was on all sides surrounded by Hindu neighbourhoods, if riotous mobs had actually managed to attack this area called Kankadiya, there was no way it could escape being another Naroda Patiya. My experience was that Modi personally attended to whatever complaint was brought to his notice way expeditiously… Modi has helped Bohras and Khojas a great deal. He even went to meet the Syedna on his 100th birthday. When the Aga Khan came, he came to personally thank me and perhaps even met Modi. That is when I realized that Muslims will find a respectable space only in the BJP.


Najma Heptullah

I asked Modi during the 2007 election whether he wanted me to come and campaign for him. He said, there is no need for you to come to Gujarat. Since you know my attitude, do what you can from Delhi itself. "

Report submitted by the Special Investigative Team (SIT) *appointed and closely monitored by the Supreme Court a to investigate charges against Modi and his government provides instances of police and army saving Muslims from riotous mobs. Some even braved hostile mobs but did not allow rescued Muslims to be harmed. (A more detailed report will follow later).*

Despite lapses and partisan conduct of the police in many places the police and army saved numerous lives of those who were held hostage by violent mobs. News reports of the time provided several instances of police officers risking their lives to save trapped Muslims. ***Here are few of many instances:***

- *5000 people were saved from Noorani mosque by Ahmedabad Police.*
- *240 persons were saved at Sardarpura in Mehsana district and shifted to safe places;*
- *450 lives were saved in Pore and Nardipur villages and shifted to safer places.*
- *200 persons were saved in Sanjoli village;*
- *1500 persons were rescued from Fatehpura village in Vadodra district;*
- *3000 people were saved and shifted from Kawant village.*

Even from Ehsan Jafri's Gulberg Society, 150 people, including his wife Zakia Jafri, were saved and taken to secure places. In her first FIR, Zakia Jafri admits to having been rescued by the Police. The charges she levelled against Modi and 63 others came 4 years later that too based on secondary sources like the statements of IPS officer Sreekumar who has been indicted by the SIT as a dubious person, a liar who fudged records and therefore an unreliable witness

To continue with Zafar's story:

"We took Modi's phone number and the matter ended there on that day. After about 2 months, in the month of October, I called Modi sahib in his office from London and gave my name and number to his office. Within 3 hours I received a phone with Mr Modi on the line. I couldn't believe it.

I had never heard of a chief minister who receives or responds to phone calls from the ordinary citizens and that too with such speed.

He said, '*Arre*, you took so long to remember me! We met in August, it is now October.' I said I was just testing to see if Modi sahib will actually respond to my call and talk to me. He said tell me when are you coming back? I replied, Modi sahib there is a problem. Since I created so much ruckus against you (*humne aapki pehle jo band bajayi thhi*), your police must be ready to handcuff me on arrival. If I get locked up you are not going to come and save me! He repeated: tell me when are you coming? I gave him the date and he made full arrangements for my safe return when I landed in India after 4 months in November. He sent somebody to Mumbai to see me through safely.

As soon as he got to know that I have returned, he got his secretary to call me and find out when I intend to see him. When I went to meet him, he said: "Tell me about specific problems. Muslims don't have to vote for us but should at least get their work done from the government."

"These are the words of Modi. Why should I praise him needlessly? I don't need anything for myself from Modi. I mentioned a small problem relating to some Muslim doctor in Himmat Nagar. He knew by name the man who was at that time the sarpanch of the area. He had it all on his fingertips. He said there is such and such person, just tell your doctor friend to go meet Raman bhai. He did as he was told and the person Modi sent him to, did the required work immediately. Later Raman bhai also told the doctor: "You don't have to vote for us but at least come to us for your work, your genuine requirements. After all, I am also your elected representative"!

I had never before seen a chief minister talk to citizens in this manner. Muslims in particular were treated with disdain. We are ordinary people. I am not a Tata Birla of the Muslim community. I was accused that I met Modi and got my own problems of compensation solved. But God is witness and so is Rajat Sharma that other than the issue of 2002 riots and how it impacted the Muslims and Modi sahib's conduct as Chief Minister, no other issue was discussed.

I knew that he is the Chief Minister and treated him with the respect due to a chief minister, but because Maulana Isa Mansuri is older than Modi sahib, he was quite harsh with him. He gave him a real piece of his mind along with a big sermon on justice."

Were you the only one who got this open hearted reception? Have other Muslims been dealt with similarly?

"I can cite numerous such instances but you will find Mahesh Bhatt's account very revealing. He had got a call from Modi within hours of Bhatt having publicly attacked him in Surat."

Here is an account I heard from ***Mahesh Bhatt****, one of the fiercest critics of Narendra Modi. This is from a video recorded interview I conducted with Mahesh Bhatt in Mumbai on January 28. I have made minor editorial changes without compromising the meaning one bit.*

“In 2004, I had gone with Mehmood Madni sahib to Surat to make an anti Narendra Modi speech. There were innumerable problems that the people of Gujarat were facing at that time. There is a Hadith of the Prophet which I had memorized because I loved it. It says, *Mazloom ho to madad kar, zaalim ho to wo bhi madad kar*. I asked the Maulana what it means. He explained that the Prophet says: *‘zaalim bhi bhai hai, zaalim ko uske zulm se mukt karaana* is your *farz*, your duty. (Even the tyrant is your brother. Helping a tyrant get rid of his tyranny is also your duty). I said, is this enshrined in the Hadith, the Prophet said this? He said yes, everyone will help a *mazloom*, but not a *zaalim* and when the *zaalim* is liberated from his *zulm*, then that is the real beginning.

I remember speaking from the Jamaat-i- Islami platform and saying, ‘*Narendra Modi, sun raheho? Jis mazhab ko tum aaye din kehte ho ki ye aatankvadiyon ki ek gangotri hai, uske Rasool ne kya kaha hai’*. (Narendra Modi, are you listening? The religion that you describe as the fountainhead of terrorism, its founder has said this!)I recited the Hadith with passion which also harked back to what I had understood of Gandhi. Little did I know that what I would say would result in a phone call!

Soon after, a call came to me when I was in Delhi, it said, Mahesh sahib, the Chief Minister of Gujarat wants to talk to you. I thought it was a prank call because I was overtly at loggerheads with him, why would he call me? Before I could even recover from that, he came on the line and started talking in Gujarati with me, ‘*Mahesh bhai kem chho?’* (Maheshbhai, how are you*?)*

I said, I understand Gujarati but cannot speak it. *M*y father was Gujarati but I never spoke Gujarati. So he switched to Hindi and said, ‘*Suna hai ki aap humse bahut khafa hain’*.(I hear that you are very angry with me)I said, yes, there are many problems. The atrocities committed on Muslims in Gujarat have not been redressed. They are running from here to there mourning and crying. I had raised several issues in a rally organized by Jamiat people.)

He heard me out and said, ’*Mahesh bhai, 5 aaiyye, 50 aaiyye, 500 aaiyye, 5000 aaiyye, jahan aana hai aaiyye. Main milne ko taiyyar hoon, main aapki saari problems ko solve karne ke liye taiyyar hoon. Main aapko ye hi kehna chahta hoon ki main available hoon*. (Mahesh bhai, you want to come with 5 Muslims, or 50, or 500 or 5000—pick a venue of your choice. I am ready to meet all of you. I am ready to solve all the problems you bring to my notice. I want you to know that I am available.

There was a kind of sincerity when the Chief Minister said this, don’t ask me why I say so. The heart listens to a voice and knows that it is a sincere voice, even though it comes from a person who you have taken on in public. I said, thank you for saying that. But since I spoke from the platform of Mehboob Madni of Jamait, I will communicate your message to Mehboob bhai and get back to you.

I immediately called Mehmood Madni and said, ‘*Mehmood bhai, Hadith ne apna kamala kar dikhkaya hai, lagta hai Rasool ki Hadith jaake zaalim kichaati cheer kenikal gayi hai kyunki zaalim ne phone kiya hai. Modi sahib ka phone aayathha, unhone kaha thha ki aap logon ko jahan aana hai aaiye, main aapki saari problems ko solve karne mein interested hoon*. (Mehmood bhai, looks like the Hadith has worked its wonders. It seems Rasool’s words pierced through the chest of the tyrant and hit his heart because the Tyrant had phoned me. Modi Sahib called me and said you people

can come and meet me whenever, wherever you want, I am ready to solve all your problems.

Madni said, very well. We will have a meeting of our Governing Body. His father was alive at that time. So he said I will also talk to my father and get back to you.). The fact is, he did not get back to me.

Even now when Mehmood bhai and I talk, I say to him, 'Mehmood *bhai, itihas pe jab main kitaab likhunga to ye to bolna padega ki usne mujhe phone kiya thha, maine aap se kaha thha, aap ne meeting kari thhi magar aap ne jawab nahi diya'*. (When I write my book on the history of this period, I will have to say that Modi had called me, I told you about his offer, you had your meeting [governing board] but did not get back to me)

He says, '*haan maine jawab nahi diya, mere Walid ne kaha ki haan baat karni chahiye. Mere jo aas paas ke log thhe, unhone kaha ki ye nahi karna. Iss baat par koi bhi baat karma sahina hi hoga,* you will become a pawn of their politics.'' (Yes, I did not respond. My father had said yes we should talk. But all those around me said, it will not be right to take Modi's offer. You will become a pawn of their politics.)

Even now if I speak to Mehmood *bhai* and I ask him why you didn't meet Modi, he will say the same thing. That was my first interaction with Narendra Modi."

When I asked ***Mahesh Bhatt****, why he himself did not go and meet Modi to tell him about the grievances of Muslims, he said: "No, I did not meet him, because I was not a part of that organisation. It was a rally of the Jamiyat." I persisted and said: "But you knew about the problems of the Muslims, why only Jamait? You could have gone with XYZ."*

"See I was not aligned to any group. Teesta's group was self-sufficiently acting on its own. I had chosen to speak from that platform because I had met Mehmood bhai during the Iraq invasion."

Did you not think of telling this to Teesta that Modi is willing to redress grievances, why don't you talk to him?

"I told Teesta because she and others had got to know about me telling Zafar to go and meet Modi and there was a whisper that perhaps I was responsible for engineering some kind of backdoor peace process. There was no backdoor, why should there be one? There is a problem of a community, he (Zafar) lives in Gujarat, he knows about the problem, and Modi is the elected representative of his state. He runs from pillar to post, he doesn't seem to get help from anybody, so what does he do? He has to open a dialogue process with the government. That was perhaps perceived as some kind of softening of stand. Softening your stand for what?"

If she can go to the Supreme Court, or to the High Court why not meet the elected CM? Are you saying Teesta never tried to meet Modi?

"I don't know, I'm not so close to Teesta to know that and I normally don't ask people what they do."

When I asked Bhatt why Shabnam Hashmi who he works very closely with had not gone and met Modi, if the offer was any one can come with the problems of Muslims; his answer was:



Shabnam Hashmi

"I don't think she would ever do that because she is convinced that all these are ploys. In fact when she got to know about Shahid Siddiqui bhai interviewing Modi she thought it was engineered by us. I said that you are imagining that it was engineered. Nothing like that happened. It just happened per chance that Shahid bhai asked for an interview and confronted him with questions."

"Why shouldn't journalists interview Modi? When she has a list of grievances on behalf of Muslims and you have let it be known that he is willing to engage, why does she not go with the list and say, 'I'm giving you a list of grievances of such and such groups of Muslims, show me that you mean well.' Why does she not ever do that?'"

At this point, Asifa Khan of Bharuch, who left Congress Party to join BJP intervened to say: 'Shabnam will never engage with Modi because she is politically associated'.

***Mahesh Bhatt**, defended Shabnam by saying,*

"I think she has a clear cut ideology. She will never go to BJP. Like, I'm not at all close to the BJP ideology."

Mahesh bhai, we aren't talking about ideology; we're talking about the Muslim community and its legitimate grievances. If you and I were angry at 1984 riots, it is not as if we were fighting Congress ideology. We were angry that that the Congress allowed a massacre in which Congress party workers joined lumpens and killed innocents. Ideology ko leke kya chaatenge? (Are we going to lick ideology?) If you kill people, whether you go chanting 'bharat mata ki jai' or you do 'lal salaam', killing is killing. The point I want to know is, since you do work closely with Shabnam, why not take this checklist to Modi? If you allege discrimination, why not take a checklist saying that these are their grievances, show us that you mean well and alleviate these? Why would Shabnam not do it?

"I never told her that. However, then next time, I remember going to Gujarat is when the floods hit the state in the year 2005. I went with the Red Cross Society team to Anand. We

were seeking the Muslim pockets to find out whether the Muslims were getting state support in a natural disaster. I was delighted when Muslim families came to me and said that they had gotten compensation, in fact they had gotten it earlier. I also met them in Baroda saying the same thing. In a way it kind of takes the wind out of your sails because you are riding on the wind of anger, and then you find out that your anger is based on the memory of 2002. Now there is something else on the ground, the ground says that these guys have been given the ration and support like anyone else. I remember telling Rajat Sharma, 'please do tell Mr. Modi that I have personally gone to the ground. In 2002, I saw a complete break down of law and order in Ahmedabad, and the Muslims were living in terror. This time, I saw a very hopeful image of Muslims during a natural disaster, being dealt with compassion and care by the establishment. I thought that that was an important development. That gave me a view that you may not have a total revolution there, but some kind of a beginning was being made. The river was changing its course, if that was any indication…

"Unfortunately, there are some conflict entrepreneurs who live off conflicts. Like, the war industries would cease to exist if human hatred evaporated. They have a tremendous investment in this hatred, so to keep the demon alive is to keep their God alive. They draw sustenance from this hatred. Those who talk of secular values need to go back and study the Mahatma because in the pages of Mahatma, there is no concept of the kshatru (enmity)."

To continue with Zafar's account:

"The charge that Modi hates Muslims or that he engineered the riots to win election has been proved to be bunkum by the enquiries of the highest court. Due to decades of recurrent politically engineered communal riots during previous regimes, Gujarat police and administration were also heavily communalized. Most of these riots took place under Congress regimes which ruled Gujarat almost without a break till 1995. And yet Modi managed to mobilize all the forces he could to restore normalcy within 3 three days.

"Despite the High Court and Supreme Court exonerating Modi of the charges levelled by Citizens for Justice and Peace and others regarding his role in the riots as well as relief and rehabilitation measures, some of these NGO's go on and on attacking Modi for keeping Muslims in camps under sub-human conditions. People don't know the real picture about those relief camps. They have only been fed on partisan propaganda. Our team went recently to the refugee camps in Assam. My brother said: I have not seen Muslims anywhere in India in such a pitiable condition as in Assam's refugee camps. Even today 2.5 lakh Muslims are still in refugee camps- that too under the Congress regime. He said the conditions are squalid beyond imagination. My brother had run refugee camps in Gujarat so he could compare. Gujarat relief camps were far better run and the government was cooperative. This is not to say that refugee camps can ever be a pleasant or comfortable place to live in. But the government made arrangements for food, medical care and all the rest better than most governments in India do**.** Assam's Muslims are in the most pathetic condition but there is no mention of them anywhere. No one goes to enquire after them. Neither Teesta nor a Shabnam Hashmi has much time for them. Hundreds of thousands are still in those camps but do you hear any discussion in the media about those camps? They are already forgotten but these same people keep ranting about the plight of Muslims in Gujarat relief camps even though those folded within 4 months because we saw to speedy rehabilitation.

"As far as government support for rehabilitation is concerned, the compensation packages in any riot are nothing compared to the losses suffered by the people. The Government gave

prompt compensation to families who suffered losses. But nowhere in India do riot victims ever get close to what they lost. You barely get a couple of lakhs in compensation from the government. Our loss was of Rs 5 crore, so we didn't even go to collect the compensation. 1 or 2 lakh means a lot to the less privileged people, they did get the money. But for someone like me, collecting Rs 2 lakh is not worth the effort.

The good thing that Muslims did here, and I think this should be a lesson for everyone in the country, was that they did not wait for anything to come from the government. Organisations like the Jamiyat-e-Ulema-e Hind, Jamat-e-Islamia, Imarat-e-Sharia, some Muslim NGOs from Hyderabad, Bihar and several other non-Muslim NGOs worked together to build homes for riot victims. We got very little help from NRIs. If a man has 1 crore and gives you only Rs 10 in charity, what will you say? Compared to the financial standing of the people in England or America, we got very little help. But Muslim organizations and Indian NGOs both Hindu and Muslim, whichever way they got their funds, constructed or rebuilt a total of 15000 houses."

I checked this with Gujarat government records. Details provided are available at …..Various aspects of the relief and rehabilitation of victims by the Gujarat Government were agitated against in various forums. ***All such petitions were rejected*** *by both the* ***Gujarat High Court*** *and* ***Supreme Court of India–*** *with the courts in fact appreciating the Relief and Rehabilitation steps taken by the Government.* ***The Gujarat High Court*** *appreciating (and advising the petitioners to appreciate) the steps taken by the Government in the management of the camps, made the following observations among others:*

> *"it must be said that since the State has already appointed Mr. S.M.F. Bukhari, a retired I.A.S. Officer, as Chief Coordinator for looking after the relief and rehabilitation facility at various camps… , the Court is of the opinion that the State has also taken care to some extent in trying to sort out the problem, which is ventilated by the petitioners in this petition, and the said gesture on the part of the State is required to be appreciated. The efforts put in by the State Government in this behalf, as indicated above, are required to be appreciated" [Gujarat High Court Order - Special CA No: 3773 of 2002, (3 May 2002)]*

The Amicus Curie's suggestion in the Supreme Court to constitute a cell to reopen relief and rehabilitation matters through [Cr. MP 3742 in WP 109/2003] was ***not accepted*** *by the Supreme Court. The Supreme Court also* ***disposed*** *of petitions alleging negligence in relief and rehabilitation along with various other allegations* ***- directing the petitioners*** *(Mahasweta Devi - [WP (Crl.) No.530/2002] and Mallika Sarabhai - [WP (crl.) No. 221/2002])* ***to approach the Guj High Court****, where these issues are being monitored. [Supreme Court of India - WP (Crl.) No.530/2002 & WP (crl.) No. 221 of 2002, (17 Aug 2004)].*

I hope to follow up on this issue in the coming months and get first hand accounts of other people who worked in relief camps.

To continue with Zafar's account:

"These NGOs can't face the truth unlike some of us who work for and with the community; they have made lucrative commerce out of it. Just like an unethical doctor prays, 'Allah send more and more illnesses, these people pray that there should be disasters and people should be wretched. They are running a business. I sometimes feel I am a fool to run an agency selling BMWs. If I had opened an NGO, I would have gotten huge amounts of money pouring in from all over the world and would be getting endless awards, honours and jet setting around the world at other people's expense."

Are those Guilty of Gujarat Riots Being Punished?

An oft repeated allegation against Modi is that his government has obstructed fair trails of those guilty of riots. Teesta Setalvad had taken this matter to the Supreme Court which got the charge investigated by the SIT. *The impression remains the Gujarat Government is protecting the guilty. Here is **Zafar's** take on it.*

"I am very closely following all the cases, it's not like we're from Norway or Scotland. What we insiders know about the condition of Muslims here, the outsiders don't know. And Teesta is an outsider who comes in only to create mischief. They don't have a clue, we are directly involved. There is absolutely no evidence of Modi trying to obstruct justice and protecting the guilty. Just see the number of people who have been sent to jail. Has this happened in any previous riot anywhere in India? In fact, the reason VHP/Bajrang dal and a section of his own party have turned against Modi is that he is refusing to help them escape justice or prison terms. Why do you think they made common cause with the Congress party in recent elections? Why do you think Bajrang Dal leaders joined hands with *Tehelka* team and try to put the blame on Modi in that phoney expose in which they boasted of brutal killings as though they were doing it at Modi's behest? That was a strategy to curry favour with the Congress because for the Congress anyone who can target Modi is a dear friend and ally.

"Whether the matter was before the SIT or the Supreme Court, cases were filed based on the basis of charge sheets filed by the Investigating Officer. Secondly, the public prosecutor was also from the State government. Thirdly, over 200 persons have been convicted and 152 have been awarded life imprisonment. Many more are in the pipeline. An important aspect of these convictions is that they have been on the basis of the testimony of eye witnesses. Tell me, do eye witnesses normally live to give their testimony in India's legal and political system?

"Read the judgements and you will see that all the convictions have been on the basis of testimonies of eye witnesses. There were other corroborative evidences but the basic evidence was that of the eye witnesses. That means the Government must have protected the eye-witnesses. They came and gave evidence against Babu Bajrangi – it is not easy to live in Naroda Patia and give evidence against people like Babu Bajrangi. Will you not give credit to the Gujarat Government for this at least?

During 2002, there were nine major incidents of murders and the rest were relatively minor. More than 90% of these cases are going on in Gujarat courts. In 2003-04, like any other Muslim I too believed that Muslims cannot get justice in Gujarat, but as matters progressed, we saw that the courts were convicting the guilty. Now all the cases are going on in Gujarat except two cases of Bilkis Bano and the Best Bakery case. The rest of the trials are going on

in Ahmedabad, Anand and Mehsana in the courts of the judicial magistrates. These are local magistrates and even the investigating officer in each case was from the local police."

I have not yet looked into details of these trials and convictions. I hope to do so in the coming months. However, a senior bureaucrat also corroborated Zafar's version about Modi's policy of letting the courts do their job without fear or favour even though NGO's keep accusing him of shielding the guilty. To quote him:

"Despite political pressure from the Centre, the courts could not find any evidence against him. Please check out for yourself a simple fact: most of those sent to jail were indicted by courts on the basis of complaints filed by the Gujarat Police. These include a minister in Modi government and other BJP leaders. The SIT investigations added very few new names to the list of those already booked by the Gujarat government. The 3 day riots in Gujarat 2002 have been dealt with in the most bizarre manner by the Central Government and the Supreme Court. Law & Order is a state subject. All previous and subsequent riots and massacres in India have been dealt with by the state government. This is the one and only riot in which the Supreme Court has taken over full charge of investigations and thus encroached on the functions of the state government. Teesta knows very well that there is not a shred of evidence against Modi but all she and the Congress party want is to somehow have some strictures passed against Modi by the courts through means fair or foul. But despite a Supreme Court Bench that gave Modi a very tough time, they have not succeeded in getting Modi implicated or playing a collusive role in even one single incident during the riots. This is because Modi did his damned best to control the riots with all the means available to him. This at a time when he was new to his role as CM. He neither had a grip over his Party nor over the administrative machinery.

"Mr Raghavan along with two other members of SIT was appointed by the Supreme Court. However, the state government has to pay for all the expenses of the SIT. When Teesta found that she could not get Raghavan to implicate Modi in false cases, she attacked Raghavan and filed the most banal complaint against him. He is known to be an exceptionally upright officer. Look at the absurd low level charge she made against Raghavan. After retirement Raghavan is based in Chennai. So he travels to Gujarat or Delhi from Chennai. On one occasion, he was in England for some lectures when the Supreme Court called him for some urgent work. Even though he is entitled to business class travel, he bought an economy class ticket in order to avoid the heavy expenditure involved in buying business class ticket from London. Had he travelled from Chennai on business class ticket, it would have cost the government Rs 72000 for return ticket. But he bought a London-Delhi return ticket for Rs 40,000. Teesta filed a complaint against him on the absurd charge of buying a London-Delhi ticket when he is entitled only to Chennai-Delhi ticket. But if the court summons him when he is lecturing in London, is he supposed to fly at his own cost?

SIT was to investigate nine cases of riots. Out of nine, four cases are awaiting judgement. None of those against whom additional charge sheets were filed by the SIT have yet been convicted. But most of charge sheets filed by the Gujarat government have led to convictions. What does that tell you about Modi administration? One thing very exceptional about Modi is that he keeps political party work and administration absolutely separate. He does not let his own party men take undue advantage of BJP being in power. If Modi had been involved in the riots, he would not have distanced himself from Zadaphia who was the Minister of State for Home at the time of riots. But have you ever heard Teesta and Co target Zadaphia who as minister in charge of home was directly responsible? Similarly, Ashok Narayan, the

Additional Chief Secretary of Home Department was bypassed by Modi for the chief secretary's post despite his seniority because it was felt that despite his best efforts the Home Department was unable to do a competent job of controlling riots. By all accounts, Ashok Narayan is a good human being but could not prove his competence in meeting the challenge of those gory days. So even though Modi gave him chief secretary's rank in deference to his seniority and sincerity, but did not give him the crucial portfolio of chief secretary of the state. Modi would have protected these guys had he any role in the riots. The truth is that Teesta only played dilatory tactics by bringing in the Supreme Court whose enquiries halted the cases being heard in the Gujarat courts because she kept getting stay orders. The ease with which she can get stay orders from the Supreme Court on absolutely flimsy grounds is truly amazing."

Exactly, similar sentiments were expressed by ***Rais Khan Pathan,*** *an erstwhile colleague of Teesta Setalvad that she acts as though she knows in advance what orders she will get from the Supreme Court. Conversations with two other senior bureaucrats confirmed that many of Modi's political problems, including within his own party stem from the fact that he is not willing to shield any wrong doer. Earlier the Congress and BJP used to be in riots together and so they dutifully protected each other. Modi has severed the umbilical chord that connected anti-social elements within both the BJP and the Congress.* ***To continue with Zafar's account:***

"An important aspect of this riot was that it was not as simple as BJP vs. Muslims or just VHP vs. Muslims. Lot of Congress workers were equally involved. I personally know of so many Congress people who took an active part in the riots. Even outside Ehsan Jafri's house there were a lot of Congressmen in the murderous mob. Some of them have been found guilty of murders in Gulberg society.

Some Congressmen who were involved in the riots have also been convicted. The most famous one here is Himmat Singh Patel who was the Mayor, the one who built a road over the *mazar* of Wali Dakkani and was responsible for Jafri's murder. It is a travesty of justice that he has escaped punishment. Teesta will never name him!"



Rais Khan Pathan

Rais Khan Pathan, who was the main ground level person Teesta Setalvad used till 2007 to collect all the information about the riots and mobilize victims told me in a video recorded interview that he had given numerous photographs to Teesta Setalvad of rioting mobs during that period. He says, they clearly showed faces of known party workers and leaders of the Congress Party along with VHP/ Bajrang Dal and BJP cadres. He also alleges that Teesta never mentions or show pictures of Muslim mobs attacking Hindu homes and business establishments. He claims that when he began pointing out to Teesta and Co that they were presenting one sided picture of the riots, that they studiously avoided talking of attacks on Hindus, the losses they suffered, the thousands that were rendered homeless and sought shelter in relief camps, she let lose a propaganda campaign that he had been bought over by the VHP and finally threw him out of the organization without as much as giving him notice or chance to explain himself. He alleges that Teesta has never released those pictures which implicate Congressmen. Those particular photographs have simply disappeared. She has refused to give him copies of pictures he sent her from ground zero. Rais Khan also told me that Teesta got false affidavits signed on behalf of riot victims. That is why many of them have openly distanced themselves from her.

According to Rais Khan only those Muslims who are on Teesta's payroll are still standing by her. She gives them monthly doles to remain as show pieces of Gujarat riots and give tutored testimonies. He says till 2007, he as the ground level worker of CJP was in charge of distributing cash to such families—all of which was part of hawala money Teesta got from various Muslim countries—bulk of which she kept for herself.



Teesta Setalvad

I have not confirmed the veracity of Rais Khan's charges. Only one thing is certain that they have fallen foul and therefore gunning for each other. Rais Khan is currently fighting court cases against Teesta Setalvad and says he has submitted a great deal of evidence before the judges. He said repeatedly that he could not reveal more since the case is sub-judice and he is afraid of CJP getting him into more trouble. He has already spent some days in jail for an "offence" he committed at Teesta's behest. She had asked him to exhume bodies of riot victims which had been buried quietly by mobsters without informing the victims' families. He exhumed the bodies without informing the government amidst press and TV cameras sent by Setalvad. This amounted to tampering with evidence since the police was not brought in. He alleges that when it came to defending him, Teesta backed off and would not even organize bail for him. He had difficulty coming out on bail. He repeatedly expressed fear for his life from Teesta saying she has very long arms and can get him eliminated any time.

To continue with Zafar's account:

"I'll tell you one more thing about the role of the Congress. In Ahmedabad there was a very famous mausoleum of Wali Dakhani, who was a very renowned poet of the 18th Century. His mausoleum was just near Subhash Bridge. The mausoleum was desecrated by the rioters along with a mosque in Paldi. At that time, Ahmedabad Municipal Corporation was controlled by the Congress with Himmat Singh Patel of Congress as the Mayor. Overnight, Ahmedabad Municipal Corporation (AMC) completely demolished the mausoleum and built a road on it. The AMC completely erased all traces of the mazaar while the rioters had merely vandalized it. These guys raise such a hue and cry over Babri Masjid. Wali Dakhani's mazaar was no less important. Babri Masjid was in shambles and they tried building a temple over it. But here they ran bulldozers over a popular mazaar as well as over the nearby mosque and built a road on top of both.

Muslim delegations went to Mayor Himmat Singh Patel and told him: "The riotous mobs only caused some damage. Why did you bulldoze those two sacred structures? How on earth can you do that? What is the difference between you and the VHP? It would appear as if you are working in unison with them." He replied "You are free to interpret it that way." He had the cheek to say that to us. Just see the defiance of the Congress!

People asked for permission to restore it. His answer was: I don't want to talk about this. One of our members said: "Then what is the difference between you and VHP?" He said, "You can interpret it any way you like." He had the cheek to tell us that. And Patel is the blue eyed boy of Sonia Gandhi. In 2007, whenever Madam Sonia came to Gujarat, Himmat Singh Patel used to be there all around her. For us he was our *maut ka saudagar*(merchant of death). Muslims were enraged to see that Himmat Singh Patel was with Sonia Gandhi all the time.

The Congress knows it was complicit in riots. This is the reason Congress does not want to mention 2002. Even now when there were debates on TV channels, Congress did not get even one Muslim to represent them while BJP had four to five Muslims from Gujarat to represent them. It seems the Congress party felt that if they showed Muslims they would lose votes since they were banking on VHP/RSS types to help them fight elections. The behaviour of Congress party was worse than the A team of VHP. They hated the “M” word.

When Muslims took similar complaints to Narendra Modi, the response was altogether different. He redressed each of our grievances with speed. Let me provide you yet another example of the difference between Modi and Congress leaders.

When SEBI (Securities and Exchange Board of India) started troubling me a lot, Mahesh Bhatt suggested that I contact Salman Khurshid as he was not only the Minister for Minority Affairs but also a lawyer at the Supreme Court. I told Mahesh Bhatt that I did not want any personal favours. I just wanted to show him my papers. The Government has made the Ministry just so that if any member of the minority community has any problem, then the first stop should be the Minister for Minority Affairs. I told Mahesh Bhatt that only if after seeing my papers Khurshid feels that injustice had been done to me, should he intervene. I want no special favour. Mahesh Bhatt got an appointment for me and Khurshid told me to come to Delhi on such and such date.

It was sometime in 2009. I do not remember the exact date. So we went all the way to Delhi from Mumbai. I went to his office and waited for hours to meet him but and he did not even give me 15 seconds to state my case. All he said was that since the matter issue to SEBI and the Finance Ministry, he could not do anything in the matter. I told him that I did not want any favours but as the Minister he should at least listen to my problem. He refused to even listen to me. Madhuji, whether your work is done or not is a different issue – at least you deserve to be heard. On the other hand we have Modi sahib – you call at his office and you will receive a call within a couple of hours. It has not failed for 10 years. This is true not just for me but for anyone – they will ask for your name and number. They have a standard procedure for appointments.

After that encounter with Khurshid I was left wondering what is our standing in this country– when I a person of some stature and get treated like this imagine the fate of an ordinary Muslim! We know what we want – shut down the Ministry for Minority Affairs, just give us our constitutional rights as ordinary citizens. The problem is that you do not give me my right as an ordinary citizen and then you create the Ministry of Minority Affairs and give us a 15 point program which you have no intention to implement. Just give me my basic rights as is happening with Muslims in Gujarat.

SEBI spells doom for small companies. They make such allegations against you that you are made out to be a criminal. They harassed me a lot, levelled many false charges against me, gave me no hearing and they had the judgement already written. Don’t take my word for it; there are hundreds of others like me. I ask you, Is Modi asking SEBI to harass Muslims?

Anyways, coming back to the contrast between how Modi responds to grievances as compared to the high and mighty in the Congress Party, even while we were assisting in the rehabilitation work and legal cases of Muslims, we decided that all this has its own place, the justice system will do its own work, but our main job is to make our community stand on its feet. For that we need education above all else. We have to launch a jehad for education and

you won't believe it things changed rapidly as a result. Till 2001-02, there were only 3 Muslim schools in this city. Today, Ahmedabad alone has 17 schools for Muslims. There are Muslim colleges as well. There is FD College in Jamalpur, where more than 1000 girls are studying. My own family, my sister-in-law and my sister, run a school in a poor neighbourhood of Shahpur, where more than 650 girls get education. We want this work to get priority—not simply go on some television channel and abuse Modi and become secular heroes. For God's sake we don't want such secularists. If you want to do something, come and do it on the ground."

Since the license raj still thrives with regard to setting up private schools and the Right to Education Act has declared a virtual war against small private schools, what is the government's attitude towards all these initiatives of the Muslim community?

"The licence raj is terrible for schools anywhere in India. But now opening schools in Muslim area has started happening with ease. Till some years ago there was an unwritten law that no permission would be given for opening Muslim schools. Therefore, no Muslim even thought of it. What was the point when you knew no matter how hard you tried no permission would be forthcoming? Now things are different – you get a lot of encouragement from the Government if you want to do anything in the sphere of education or irrigation.

We told Mr Modi, we only need two things from you: we need logistical support from you and that the administration should not put a spoke in our wheel. And Modi has been true to that. Schools etc came into focus in these schemes. I remember there were only 2 schools for Muslims in 2001 – now there are 17 of them. You need the logistical support of the Government, approvals are needed. You just cannot start a school wherever you want. The administration is today very responsive towards the educational initiatives of the Muslim community.

I can give you several examples. For instance, there is a school in Bapu Nagar, which is in the heart of a Muslim area. There was a Nutan School there, run by a Hindu trust. But when the number of Muslims increased, they sold it to a Muslim management. There are 1400 Muslims girls studying in the morning shift, and 1400 boys in the afternoon shift. One night, suddenly on a Sunday, at 10.30 p.m, I received a phone call from one of the gentlemen who runs the school. He said Zafar miyan, there is a big problem.Our school building is going to be demolished. The police are already here and they plan to demolish it at 10.30 in the morning. I said what can I do? He said, no one except Modi can save our school. I replied in jest: 'There is only Modi for you now, As though Allah miyan has vanished. As if Modi is God! It is now 10.30 p.m. How can I call Modi at such a late hour?' He insisted that I phone him right then.

This happened in 2007. You won't believe it, at 10.45 in the night, I called Modi at his home. His secretary told me 'sahib has gone out. I told him; please get Modi sahib to phone me before 7 a.m tomorrow morning. Next morning, at 6:59 a.m. Modi called me and said, 'How come you wanted to talk to me early morning? I told him, Sir there is a Muslim school in Bapu Nagar — I don't know whether its building is illegal or legal. All I know is that the municipality is about to demolish it. But you have to save it. That's it. He said, "You people put me in a tight spot. It is an illegal structure and there is a High Court order that you have to demolish all illegal structures." I said whatever it is, this matter relates to a school. Modi responded with a laugh saying: "if the school gets demolished. The *museebat* (headache) of dealing with those 2800 children will after all also come on my head! So I better do

something" Sure enough, Modi stopped demolition that day. Later on, his officers advised us how to get the school legalised. But that could happen only he did not let the school be harmed that day.

Another incident: In 2005, there was a warrant against 3 prominent Muslim scholars in connection with Godhra murders. A warrant had actually been pasted on their houses. Those people came to me and said, 'we have a prominent Muslim leader in Delhi, we should phone him.' I told them even if you phone him; he is not the one ruling here. You will ultimately have to talk to Modi. They said, "No we will talk to our Ahmed bhai." They called on 4 different phone numbers but could not get through to him. So they left their phone number at his office, saying, "We are sure he will call us back by tonight." I said OK, fine. The next day they called me and said, "He did not return our call. That is when I offered to call Modi's office. I told them 'I will leave a message and am likely to get a return call in 2-3 hours. You better provide me the details of those cases so I don't need to fire this bullet again'

Per chance, his office told me Modi sahib is right here. And he came on the line right away. I told him about the 3 scholars and said I can vouch for them as well as I can about my own father. They are highly respected. Why are they being harassed? At least send the right message down the line. Modi said, "Give me their names". It felt like he wrote down the names himself as I told them. As this conversation was going on, one of the maulanas passed me a note saying such and such maulana's passport has been confiscated. So I told Modi, sir there is this passport case also. He said, "Tell this person that when he has to go abroad, it is my assurance that we will give him a passport.

Within 8 hours of this phone call, the Deputy Commissioner went and removed those summons that had been pasted on the houses and officially withdrew them. Likewise there were cases of Muslims in jail charged with Section 268. They had not been out for 10 years. We went to Modi and he allowed 5 such boys out on humanitarian grounds.

Let me give you another instance of the difference between the functioning of self styled secular politicians and that of Modi. About 6 months ago when Mahesh Bhatt's film *Jism 2* was to be released, it faced trouble in Maharashtra and Gujarat with party workers of Nationalist Congress Party (NCP) an alliance partner of the Congress Party threatening to attack any theatre that dared release that film. They tore up film posters and defaced film's publicity hoardings saying they will not allow such a vulgar film. But the film had been cleared by the National Censor Board. But the NCP "moral police" was adamant. So Mahesh Bhatt called the senior most leader of NCP, Sharad Pawar himself and said the cadres of your "secular" party in Gujarat are threatening harm to cinema halls that screen my film. Do you want me to seek protection from Narendra Modi even though I am his political adversary?"

I was present when that conversation took place. Sharad Pawar said, don't worry nothing of the sort will happen. But two days later I got a call from Mahesh Bhatt that threats from the NCP workers have actually increased. I told Bhatt Sahib that I will talk to Modi on his behalf. Even though Bhatt remained a sworn enemy of Modi, I approached Modi. His response was clear and forthright. "No question of government allowing anyone to create disturbance on this issue. Rule of law will prevail. Since the Censor Board has cleared the film, nobody has the right to obstruct its screening through lawless acts." He told me to communicate to Bhatt Sahib to sleep peacefully because the Government will not tolerate hoodlum action.

Within 15 minutes of this conversation, Bhatt sahib phoned me and said, the Police Commissioner of Baroda, the city in which NCP workers were most aggressive, called and assured me that the government is committed to taking strict action against any disruptive activity. Bhatt sahib said when I told the police commissioner that the theatre owners are petrified and therefore unwilling to screen the film; the Police Commissioner personally went and met the owners to assure them that they had no cause to worry. And indeed the film saw a peaceful release. Bhatt sahib told me: "*Yaar,* I have never seen any other politician or chief minister act with such alacrity and determination anywhere else in India."! He openly praised Modi's conduct in the Film Federation meeting saying on does not see any other state of India demonstrate such strong commitment to rule of law.

You can ask Mahesh Bhatt about it. He will admit that this is what happened. I asked Modi sahib as to why he did not allow such things to come on TV. His reply was that earlier *Fanaa* could not be released; then *Parzania* could not be released due to threats by VHP/ Bajrang Dal etc. They had created a lot of trouble for him. So, he had decided that rule of law would prevail henceforth, no matter what the political cost."

2

Actions Taken by Narendra Modi to Control the Riots following Godhra Train Massacre

58 train passengers, including women and little children, were charred to death on 27th February 2002 when their compartments were set on fire just as the train moved out of Godhra railway station.

The first incidents of retaliatory mob violence were reported on February 28. They continued in full intensity on 1st and 2nd March. By 3rd March situation was under control. After that small incidents were engineered in a few pockets but they were put down firmly.

I will deal with the how and why of those incidents in another article. For the moment, I am presenting a very brief overview of the actions taken by Narendra Modi to control the riots.

Normally, record of actions claimed to have been taken by governments during riots is not trustworthy because no proper inquiries are held to authenticate those claims. In the case of Gujarat, the record of actions can be taken seriously for the following reasons:

- Inquiry Commissions and SIT investigations have been conducted under full glare of a media which cannot be accused of being friendly towards Modi government. Moreover, SIT investigations were monitored by the Supreme Court.
- State government cannot fudge facts about the deployment of army and para-military forces because of elaborate protocols involved in the movement of troops.
- The number of bullets fired, pattern of arrests—how many Hindus and how many Muslims held under preventive detention laws—can't be fudged when high level inquiries by central agencies are going on.

If these facts had proven to be wrong, Narendra Modi could not have escaped indictment by the Supreme Court monitored Special investigative Team or the Commission of Inquiry headed by Justice Nanavati in 2005 or the High Court of Gujarat.

The following fact sheet provides only a brief glimpse of actions taken to quell riots. I will be posting a more detailed fact sheet soon.

On 27/02/2002:

- CM reaches Godhra at about 4.30 p.m. and goes to inspect the rail bogies which had been set on fire and issues the following official statements:

  - *The government has taken a serious note of this….This government will not allow anyone involved to go scot-free and is taking fool-proof steps…This is mass violence. This government is always trying to bring about communal harmony and is in favour of preventing any communal flare-up.'…This inhuman terrorist crime of collective /mass violence is not an incident of communal violence."* (Translated from Gujarati, source: CM Press release).
  - *The Government will not be lacking in discharging duty...No efforts will be spared in ensuring law and order*." (Source: CM Press release, Godhra). In the press meet on 27th itself, the Chief Minister said that though the Godhra incident is shocking and sad, people should not take law into their hands and government will ensure law and order by taking necessary steps.

- Imposition of curfew in Godhra and other potential trouble spots from the day of Godhra massacre;

- First alert message of 27.02.2002 from the Home Department covered the need to take precautionary measures including adequate police *bandobast* and preventive measures including instructions to impose prohibitory orders in disturbed areas.

- All the Police Commissioners, District Magistrates and Superintendents of Police directed to remain in the headquarters and monitor the situation.

- In order to cope with the emerging law and order situation during the Gujarat Bandh call given by BJP, VHP and others to protest the massacre at Godhra railway station, request was made to the Government of India to provide 10 companies of Central Para Military Forces in addition to 4 companies of Rapid Action Force.

- Large scale preventive arrests of Hindus and Muslims starting February 27, the day of Godhra incident. On the day of Godhra massacre, 217 preventive arrests made, out of which 137 were Hindus and 80 were Muslims. This despite the fact that several BJP leaders, including some who were part of Modi's own Cabinet, were actively fomenting trouble;

- The entire police force of 6000 is deployed in sensitive areas of Gujarat on the very first day.

- 62 Companies of State Reserve Police Force and Central Para Military Forces companies deployed on February; Out of 62, 58 were of SRPF and 4 were of CPMF.

- After his return from Godhra, Chief Minister calls a late night meeting of senior officials at his residence at 11 p.m to review the law and order situation and assess the preparedness of the government in dealing with it. Modi asks his officials to explore the possibility of army deployment.

Enquiries made with the local army revealed that no force was available for deployment, as all the units were deployed on the Gujarat border with Pakistan where a war like situation existed following the Pak inspired terror attack on the Indian parliament in December 2001. At such a point, the Centre alone could take decision regarding Army deployment.

On 28/02/2002

- Gujarat Government requests neighbouring states of Maharashtra, Madhya Pradesh and Rajasthan to send additional police force. Digvijay Singh as CM of Madhya Pradesh and Ashok Gehlot as CM of Rajasthan decline the request saying they have no forces to spare. Maharashtra CM, Vilasrao Deshmukh sent some police force which was returned to them as soon as the situation came under control.

- Modi makes a telephonic request to the then Home Minister, L.K Advani for deployment of the Army.

- As a follow up, Gujarat government sends a fax to the Secretary Ministry of Defence at 2.30 p.m. seeking deployment of the Army.

- Due to tense situation at the Border and the on-going Operation Prakram, the Army cannot be withdrawn from the Indo- Pak border of Gujarat. Therefore, army units have to be airlifted from other states.

- CM issued instructions to provide safe escort to the 6000 Haj Pilgrims returning to the State. This was followed by further measures in later days. All the 6000 Haj pilgrims from 400 different towns and villages of Gujarat reached their homes safely under police escort on 20.03.2002.

- Message from Home Department to all the concerned officers to round up anti social elements and known communal elements under preventive laws.

- George Fernandes, the then Defence Minister, arrives in Gandhi Nagar and meets the CM at 10.30 p.m.

- The first aircraft carrying army personnel lands at Ahmedabad by midnight of 28th February.

- 13 Columns of Army deployed to assist the State Civil administration.

Statements by Narendra Modi on 28.02.2002:

The following was broadcast across Gujarat on Doordarshan at 7 pm and repeatedly broadcasted thereafter**:**

- *I share the grief of the people of Gujarat but the solution does not lie in non-peace, non-restraint or venting out of anger.*

- *I pray with folded hands that this is the time for maintaining peace; the need is to control the nerves.*

- *This is the time for maintaining peace. It is necessary to maintain self-control. We are determined to punish those who are guilty and they will not be spared."*

- *He also requested the people of Gujarat to help Gujarat by maintaining peace.*

- *Will you not help to save Gujarat? Come and help Government. Government is requesting for help. Government is seeking your help to punish the guilty through law."*

- *He also added that it was the collective responsibility of all to ensure that the innocent are not affected: "Amidst your anger I pray you to display the unique characteristic of Gujarat-of showing restraint and maintaining peace during adversities. Come, let us serve Gujarat through peace and self-control,and let us strengthen the arms of law"…*

- *The entire country shares our grief but the responsibility to maintain peace and restraint is ours. I understand your anger, your pain but in the interest of Gujarat, to see that its future doesn't get ruined, to ensure that Gujarat doesn't get a blot on its face, it is necessary that five crore Gujarati keep calm and exercise self-restraint…*

- *It is our responsibility that the lives of innocent are not put at stake…Ver verthi shamtu nathi" (**Hatred is never won over by hatred.** My fervent appeal to the people of the state is that the time has come to strengthen the hands of law and maintain peace. I pray to the people that they will help in bringing those involved in violence to book."(Ahmedabad / dt.28/2/2002)*

On 1/03/2002

- Chief Secretary issued orders to use force including **Shoot- at- Sight** on 1st March, that is, within a day after the riots broke out on 28th February.

- Army deployed on the ground within 20 hours of the start of violence despite troops having to be airlifted.

- **The Defence Minister personally supervised the deployment of the army** which commenced on the morning of 1st.

- The deployment was facilitated on a war footing by the government. The District Magistrate Ahmedabad provided 6 buses, 9 trucks and 15 jeeps for use by the army by 2:30 a.m. By 3 p.m. 26 red flags were also provided for the army. During the day 39 other vehicles were also provided to the army personnel.

- 18 mobile phones were provided to the army on 1st March itself to facilitate better communication. Liaison officers and escort officers from the police were also provided to the army by the morning of 1st March

- By 11 a.m. the Army reached some of the affected areas in the city i.e Paldi, Juhapura, Vejalpur, Shahpur, Bapunagar,Rakhial, Gomtipur, Meghaninagar, Draiapur, Kalupur, Naroda and Dania Limba. In Ahmedabad total of 9 columns of Army were deployed on 1.03.2002

- A total of 131 vehicles were provided to the army for their movement.

- In addition 7 Executive magistrates were provided to the army by 7:30 a.m followed by three more. A total of 32 Executive magistrates were provided to the army because the army cannot shoot without a magistrate's orders.

Statements by Narendra Modi on 1.03.2002:

- *"Orders for shoot-at-sight have been issued to deal strictly with the people involved in violence".*

- *"Gujarat's peace and tranquillity will not be allowed to be disturbed by anti-social elements intent on exploiting the people's anger."*

- *"Restoring peace is our topmost priority. We will act strongly against those disturbing the peace."(CM Press release)*

- *"Verify before printing/broadcasting –do not spread false news."(Source:CM Press release)*

- ***"Kriya pratikriya ki chain chal rahi hai. Hum chhahate hain ki na kriya ho aur na pratikriya" (A chain of action-reaction has set in. We wish to see an end to both action and reaction)*** *Zee TV Interview with Sudhir Chowdhary , Gandhinagar*. SIT Investigation established that Zee TV deleted the last line to give the impression that Modi was justifying " reaction" by way of mob violence to avenge the killings of Godhra. (More detailed report on this later)

- *“Do not mention names of communities as per established press ethics and practices –to stop the spreading of violence.” (CM Press release)*

- *“ Do not show visuals of the dead people to avoid emotional flare ups leading to violence” (Source: CM Press release)*

- *Appeal for peace” (Source: CM Press release)*

- *“There will no compromise in law and order situation. Gujarat’s peace and tranquillity will not be allowed to be disturbed by anti-social elements intent on exploiting the people’s anger/feelings.” (Source: CM Press release)*

On 2.03.2002

- 14 aircrafts airlifted to Rajkot and the first plane landed in Rajkot by 0300 hours on 02-03-2002.Later on 2 columns of the Army were dispatched to Godhra on 02-03-2002 and they reached Godhra at 1.30 p.m on the same day.

- Two columns of the Army were moved to Baroda on 01-03-2002 at 1830 hours.

- Two columns of Army were moved to Rajkot on 02-03-2002 at 1100 hours.

- A total of 573 preventive arrests were made out of which 477 were Hindus and 96 Muslims. 16 persons were killed in police firing, out of which 12 were Hindus and 4 Muslims. 482 Hindus and 229 Muslims were arrested for offence.

- Total SRPF and CPMF deployed in the state on 2.03.2002 was 88-1-2, out of which 64-1-2 were SRPF and 24-0-0 were CPMF.

Statements by Narendra Modi on 2.03.2002:

- *I appeal to people to cooperate with the security staff in order to maintain law and order and in the performance of their duties.” (Source: Sandesh/Gujarat Samachar)*

- “*nterest of Gujarat lies in peace and not in communal tension or disturbances.” (Source: CM Press release)*

- *State Government is committed to pacify the wide spread anger amongst the people and restore law and order with strong political will.”(CM Press release)*

- *Government cannot shy away from its moral duty of maintaining law and order in the state.”(Sandesh/ Gujarat Samachar)*

- *No one will be allowed to take law into their own hands and strict directives have been given to deal very firmly with all those provoking the people and all such elements trying to disturb the atmosphere.” (CM Press release)*

On 3.02.2002

- Army columns were moved to Surat on 03-03-2002 at 11 a.m. and to Bhavnagar on 03-03-2002 at 10.35 p.m. hours in the wake of incidents of violence reported from Bhavnagar and Surat. At the peak of deployment there were 26 army columns in the state.

- Total number of preventive arrests on 3.02.2002 was 280 Hindus and 83 Muslims. 416 Hindus and 173 Muslims were arrested for offences. 10 Hindus were killed in police firing.

Statements by Narendra Modi on 3.02.2002:

- *"Government cannot shy away from its moral duty of maintaining law and order in the state…all sections of the society too have a role to play in restoring peace quickly… I appeal to people to cooperate with the security staff in order to maintain law and order and in performance of their duties…"*

- *In Gujarat Samachar dated 3.03.2002 the Chief Minister appealed- "After the earthquake of last year and riots now we do not wish to see the future of lakhs of students of the state turning into despair...March is the month of examinations and therefore, I appeal to parents, guardians and educationists to help restore peace quickly and keep the atmosphere stress-free so that all examinations are finished in time…"*

- *March is the month of examinations and therefore, I appeal to parents, guardians and educationists to help restore peace quickly and keep the atmosphere stress-free so that all examinations are finished in time." (Source: Gujarat Samachar)*

On 4.03.2002

- 65 SRPF and 29 CPMF companies were deployed in the state during that day. Out of 285 preventive arrests 241 were of Hindus and 44 of Muslims. 301 Hindus and 75 Muslims were arrested for offences, while 4 Hindus died in police firing.

1. **During the riots, police fired 103,559 rounds of bullets. More than half fired in the first 72 hours;**
2. **Through the period of disturbances, in all 66,268 Hindus and 10,861 Muslims were taken into custody under preventive detention laws.**

The above provides a brief over view of the actions taken by Modi during the first 3 days of riots.

All these facts, statements can be confirmed from newspapers of those days. **I will gladly correct myself if provided with more reliable counterfacts.**

A more detailed account will follow next week listing actions taken by the Gujarat government till mid April 2002 to put down smaller incidents and restore normalcy in the State.

3

Economic Profile of Muslims in Gujarat: Some Key Indicators

One of the oft repeated charges against Modi's government is that Muslims are being economically marginalized in Gujarat. It is believed that the political atmosphere and government policy is so hostile to Muslims that they are being crushed economically. ***Zafar Sareshwala*** *is first and foremost a businessman and part of a versatile entrepreneurial community. Therefore, he has a keen eye for this issue. This is what he had to say:*

If you take the latest figures, the economic position Muslims have now, they never had that before. It is much better than ever before. Here are some revealing indicators.

Zakat is the easiest indicator to judge a Muslim's wealth profile because you pay zakat on your wealth. zakat is what you pay to the needy. It is essentially used for helping meet some poor man's basic needs. Suppose this year I paid Rs 2500 zakat, you can immediately extrapolate that I am worth Rs 100,000. Next year if I pay Rs 5000 zakat, it means my wealth has increased from one lakh to two lakhs. Zakat has been continuously increasing in Gujarat year after year. In fact, you will find that 50% of the zakat of madarasas across the country comes from Gujarat and 50% from the rest of India. If Modi had destroyed Muslims, their share of zakat should have fallen. But in the last 10 years, the wealth of Muslims has increased.

I give other important indicator, that of BMW sales figures: We sell BMW cars. The cheapest BMW is for Rs 30 lakhs; the highest goes up to 1.5 crores. When we started the BMW dealership, we never thought that we could sell more than 2 to 5 of these cars to Muslims. Last year, in 2011, we sold 11% of our BMWs to Muslims. The population of Muslims in Gujarat is 9%. This year again, we maintained that sales figure; we sold about 59 BMWs to Muslims. How on earth did this wealth come to them? Forget about Juhapura, you go to any Muslim dominated area in Ahmedabad or Bharuch, there is massive construction activity going on there. You say they are marginalised, ghettoized, but to build a house even in a ghettoized area, you need money.

Land prices have risen tremendously in Muslim areas. In a good society, you cannot find land for less than Rs 50,000 per square yard; it is more than in any Hindu area. Paldi, where we live, there's no bungalow for less than 5 crores.

Muslims are buying these bungalows, where has all this money come from?

It is alleged that only wealthy Muslims are pro Modi. Think of it this way, 250 people earn their living from my business, out of which 230 are Muslims. Similarly people say Modi has given great benefits to Tatas. But 10,000 people are directly employed by Tatas, apart from indirect employment created due to Tata plant. Do you think Tata employs only Hindus? This Vibrant Gujarat Summit of Modi brings in fresh investments into Gujarat. I think more than half of Gujarat households will benefit from these new investments.

Equal opportunities are given only by an honest government. Modi has a simple policy with regard to business and industries, everything revolves around that policy. Whether you are black, white, Hindu, Muslim, whatever, there are only two important things: the amount you invest and the number of jobs you generate. His putting in place a clear-cut single window clearance policy for investments and enterprises has helped the small entrepreneur far more than the big corporates. The latter manage to twist decisions in their favour with ease through bribery and political influence with corrupt regimes. But the small businessman suffers. That is why in most parts of India the SMEs are in crisis and collapsing. In Gujarat they are growing and flourishing. Ambani's Reliance Industries flourished even during full blown license-quota raj, so did Tatas because they operate on a gigantic scale and can survive bureaucratic crackdowns. But rule of law and a transparent policy which gives a level playing field to all, benefits the small and micro enterprises most of all.

It is well known that most Muslim businessmen are concentrated in small, medium and micro enterprises. While their share in the overall population is 9%, their share in SMEs is proportionately far larger at about 22%. Today Muslims in Gujarat don't face any hassles or discrimination in getting government clearances when they want to set up enterprises in Gujarat. Otherwise Muslims could not have prospered as they have. Modi has a simple formula. All are equal before law. Take your rights as citizens. Don't ask for this or that because you are Hindu or Muslim, or on the basis of caste or community.

This reminded me of the time Mehbooba Mufti made a statement in the National Security Council that Muslims from even other states were finding Gujarat very investment friendly. She narrated the example of a Hyderabadi Muslim having come back very elated after exploring business potential in Gujarat. But like Maulana Madni, she hastily disowned the statement when she found it splashed in news papers because of fear of being attacked by the Congress and other "secular" parties. ***To continue with Zafar's account:***

The growth rate of small and medium enterprises in Gujarat has been over 75% in the last decade. I will explain to you the reason for this. Small and medium enterprises develop around big industry. For example, when Tata brought in his Nano car plant, it created space for a lot of ancillary industries that supply parts to Tatas. A car company is basically an assembly unit. They get brake pads from one source, the wipers from another. They need hundreds of such components.

The Gujarat manufacturing model of growth is better than the IT model of growth. In the IT model, if there are 10 lakh employees, each earning 30-40 lakhs per year-that salary goes straight to the bank. It does not percolate much to the lower levels; their lifestyle benefits a limited number of people. In manufacturing, every job creates ten additional earners. It percolates down to the lowest level. When Modi brought in

corporate investment, it led to the growth of ancillary industries and to support the ancillary growth, came small and medium enterprises. Gujarat was always industry friendly. Modi did not start the process, he only improved the systems.



CCGT Power Plant at Hazira

In most Indian cities, industrial growth pockets have very slummy conditions. Even in Delhi, the Okhla or Wazirpur Industrial Area create eyesores, plus wretched slums for the working class. Today Gujarat's industrial growth is not producing slum like conditions.

The Gujarat Industrial Development Centre calls them "Industrial Clusters". The new ones developed during Modi's regime--such as the automobile park--are world class. Please go and see them. My own family belongs to the small and medium enterprise sector. We are into manufacturing valves just as numerous other Sunni Boras are. We are a classic example of feeding in to large industry. There is no power shortage, no water problem. Roads are world class and the overall infrastructure growth is friendly. Even sanitation is very good in these pockets. Modi is not addressing this or that narrow or large constituency. He is doing what India needs doing.

Most Muslims are happy that Modi never uses divisive strategy of doing this or that for a particular community, for Hindus or Muslims but addresses himself to 6 crore Gujaratis. There is no need to talk of Muslims separately. Tell me, when the American Presidents talks, does he address the Blacks, the Whites, Hispanics, Indians, Pakistanis, Chinese, Koreans separately? If he did that, it would take him hours just keeping a count of diverse groups. He talks of all Americans. In my view, it is good that Modi talks of and works for *all* Gujaratis. Muslims are quite capable of taking their legitimate share from the opportunities created for all. We only ask for two things: give us logistical support that only a government can provide and don't put spokes in our wheels. His government has honoured both these promises.

Today at the Gujarat Summit, you heard Modi talk at length about giving encouragement to Small and Medium Enterprises (SMEs). The SME sector Modi was talking about is largely a Muslim domain. You will find every single Sunni Bohra having an SME and Modi is working very hard to create more SMEs. Modi is working on developing ITI (Indian Technical Institutes). Tell me which other Chief Minister is doing that? They all want an IIM (Indian Institute of Management) or IIT (Indian Institute of Technology) or an engineering college for the children of the elite. Modi goes beyond that, he works for ITI's. Who are the ones getting ITI training? It is mostly children of poor Muslims from artisanal castes and classes. We tell Modi, please don't do anything special in the name of Muslims, instead do for all. We will make sure we are included in "all" and get our share. Likewise, I tell my community, you have to first get into the bus if you want to reach your destination. If you don't enter a bus how do you expect to reach your destination?

I say it bluntly to all Muslims, if you develop your talents and deliver honestly, even the Ashok Singhals of this world will have to give you your due. I give this example: If

Ashok Singhal sahib had a helicopter for which he has to choose from two available pilots: The first one is a Kashmiri named Mohammad Khan who has 500 hours of flying experience and second one is a Ganga Ram from UP who has a mere 50 hours. You tell me in all honesty, who will Ashok Singhal select for flying his helicopter?

When I took this BMW dealership during the surcharged atmosphere of Gujarat, I was very apprehensive about our business prospects. We thought that it is mainly upper caste Hindus who are likely to be buyers of such high priced cars. All of us three brothers are conservative bearded Muslims whose identity is writ large on our faces. We wondered if Hindus would come to us for buying cars. I say hats off to the Hindus of Gujarat, because so many of them say, “We are going to buy from Mullaji’s showroom only.” Meaning, we have established our own unique brand as car dealers.

There was a time when if a Hindu in Mumbai needed a taxi for his wife or daughter during late hours, he would like for a Chelliah Muslim driver because they were so trusted for being upright and honest. Chelliah is one of the Muslim communities of Gujarat who speak Palanpuri. From Abu to Mumbai, the roadside restaurants, eateries on the highway are 100% owned by Chelliah Muslims. No Hindu taxi driver was trusted as much as Chelliahs. I tell Muslims, become like them and people will *discriminate in your favour*.

The benefit of Modi’s good governance and the development model is going most of all to the poor. In fact, a large majority of poor is now part of the middle class. They were given education opportunities. For example, there is all this fuss about Modi not utilizing scholarship grants sent by the Centre for the Muslim community. They are grilling him in the Court over it. I can vouch for what Modi said in his address at the Sri Ram College of Commerce in Delhi. He said that in 2001, there were 11 universities in Gujarat, there are 42 now. This happened within 10 years. We have had this Vocational Guidance Bureau for 30 years without producing any results. But Modi has invested heavily into skill development and higher education.. In 2001 or 2002; there were 2500-3000 seats for engineering, now there are 55000.

I recently met a young Muslim who is doing a Ph D from IIM, though he is from a poor family. He said on the camera, “Modi sahib has made education easier for Gujaratis. There was a time when Ahmedabad people had to go to other states to study. Now there are 10 engineering colleges in Ahmedabad itself. That is why I directly got admission in Ahmedabad.”

If you compare the fee structure of Rajasthan and Gujarat, the engineering fees is 4 times in Rajasthan as compared to Gujarat. The fee in government engineering colleges in Gujarat is around Rs 15,000 whereas it is Rs 50,000-55,000 in Rajasthan government run colleges. Everyone has benefited from this development.

Since the policy of maintaining scarcity of seats in professional colleges is ended, there won’t be any need for reservations and quotas. Now there are so many surplus seats in our professional colleges, that some go unclaimed. Last year, there were 55,000 seats for engineering and there were 5000 seats to spare after all the state seats were filled up. Muslims are getting far better educational opportunities in Gujarat today without need for quotas. Modi does not play the politics of scarcity which pitches one community against another.

He creates conditions of plenty so that everyone gets their due without quarrelling with others.

Those children who had to pay lakhs of rupees to study in other states can now stay at home and pursue higher studies. In our society, whether you are a Hindu or a Muslim, most parents are reluctant to send their daughters to live in hostels. They say that if you can get admission within the city then it is fine, but we don't want to send you to far away states. Now many Muslim girls have come to study medical and engineering because they can get admission in local colleges. Today even the children of lower middle class Muslims can afford to send their sons and daughters to study engineering, medicine or IT.

The poor Muslim who sits on the footpath as a street vendor has benefitted most from riot free Gujarat with rule of law firmly in place. Those who are wealthy don't even go to vote, it is the poor man who votes. The 31% Muslim population that has voted for Modi belongs overwhelmingly to the poorer sections. The wealthier Muslims are still embarrassed about voting for BJP.

Recently, I decided to go and see for myself what was happening in Saurashtra. My family and I travelled by road through the villages all the way up to Gir, taking stops in Rajkot and Jamnagar. I was quite surprised that there is a pro-Modi wave even in Junagarh, in the heart of Visavadar, which is the constituency of Keshubhai Patel. When Muslims have a pro image of a political leader, he is not a hero in the sense of Salman Khan or Amitabh Bachchan. A political leader becomes a hero for ordinary citizens only because he has done something good for people, made their lives better. Not because he is glamorous or a macho man.

The roads in the area are beautiful, almost right up to Junagarh, there are 6 lane roads. My wife was asking me,

'*Kache makaan nahi hain yahan par' (Are there no mud houses in these villages?).* We couldn't believe the transformation of a small town like Junagarh. Very good houses indicating new prosperity. It was absolutely wonderful.



Sakkarbagh Zoo

The Sakkarbagh Zoo set up by the erstwhile Nawab of Junagarh in 1963, was at one time very famous. But then it fell on bad days. Last year they celebrated the 150th anniversary of that Zoo. In the last 10 years, this Zoo has also been restored to its full glory. You have to see it to believe it. My kids did not want to go to the Zoo, they thought that they had seen the Zoo in Mumbai and London but did not find them worth the visit. When they went and saw the Junagarh Zoo, my daughter told me, "Daddy, unbelievable, we would have missed something so exceptional and regretted all our life had we not come with you." You have to see it to believe it. They have created such an environment, the way

they have kept the lions, the tigers, hippopotamus; ostrich etc is both clean and aesthetic.

When the man on top is efficient good administration percolates down to the very bottom. I always believe, *jaisa raja waisi praja*, it is true. *Jaisa Chief Minister ya Prime Minister, uska reflection hota hai neeche*. You see its reflection all the way down. I talked to the guide. He was very well qualified; a trained zoologist, very professional, very efficient. Zoo means dirt and all, but this zoo was so clean and everything was well maintained. You could not find the stink that you normally find in zoos. The animals were clean and healthy, that was a good reflection on the kind of people who have been selected to manage the Zoo.

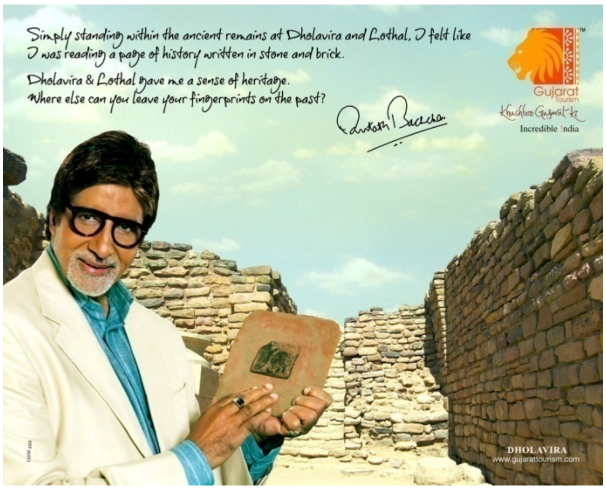


Junagarh Circuit House

Similarly, Junagarh town was quite prosperous. Not the usual rundown homes seen in small and big town of India. We found well built houses with good civic amenities. The Junagarh city was also clean. Not the regular piles of garbage you see in Indian towns and cities.

I asked the man who we had hired as a driver for our Gir visit, as to why they are pro-Modi since that area used to be a stronghold of Keshubhai Patel. He replied, “If Modi had not emerged, we would have been crushed.” See in that area, Patels are the dominant community. Most others are from the much poorer Durbar community. The wealthy know how to thrive under any and every regime. For example, the multi-national corporations know how to go and do business even in the jungles of Africa but the poor man, the petty entrepreneur can rise in life only under a regime that provides pro-people governance and does not discriminate between different groups of citizens. The MNCs and corporate don’t care whether a country is democratic or a dictatorship. But the real beneficiary of peace and versatile governance are the poor for whom new doors of opportunity are opened.

Modi has made a difference to the lives of those who did not have land or old business networks. It is not as if Modi gave them doles. For example, this driver from the Durbar community said, "Earlier I used to drive a jeep and earn Rs 5000 a month. But ever since Modi launched his "*Khushboo Gujarat ki*" campaign" with Amitabh Bacchhan to promote tourism in the state, there has been phenomenal increase in tourist inflow even in our area. The Gir forest has been there for centuries. But who knew about it? Since Modi built world class infra structure right up to the interiors, restored old monuments, and launched an innovative tourism campaign, Gujarat has suddenly emerged as a prime tourist destination. Today 50% of tourist inflow of India is coming to Gujarat which had a negligible presence on the tourist map 10 years ago.



Amitabh Bachchan as the Brand Ambassador of "Khushboo Gujarat Ki" campaign

The driver said because of increase in tourism, today he is able to provide good education to his children and live well. His son is studying BSc in Junagarh while the daughter is in class 11 in a good local school. He had a piece of ancestral land. He raised some money and built a small tourist resort there. The government has a program of providing guidance to such first generation entrepreneurs in developing hospitality services. We stayed in his resort. It was really good and the food was wonderful. He also pitches tents for tourists in addition to proper guest rooms he has built. The place is packed to capacity. He had set up a very innovative "Bumba" system for providing hot water. You can't imagine how delightful and relaxing is the water heated in the traditional way through the use of bamboos. Today, this man has risen from being a low paid employee to a budding entrepreneur. And he is not the only one.

All around in that area, we saw new houses in the villages, not because Modi gave them any money to build new homes. All he did was to develop high quality infra structure and promoted tourism. When tourists come they are bound to spend money which gets pumped into the local economy and opens up new business opportunities for the local people. So today, the once impoverished Durbar community is experiencing rapid upward mobility. This is changing their equation with the dominant Patel community.

We met several Muslims of that village. The Sarpanch was also a Muslim though the area is not Muslim majority. I asked him how he won the election. He said, we don't have any Hindu-Muslim issue here anymore. We saw the local mosque. It was 1st class. He told us that a famous cricketer had come to their village and offered to get a masjid and madrasamadras built in that area but he declined the offer saying, we can build our mosque with our own resources." You could see the Muslims of the area are prospering and feel at peace with the local Hindus.

Even deep into the interiors of Gir forest the small Muslim villages are showing signs of rising incomes. Everyone is carrying mobile phones. This is because tourism has

opened up new sources of income for everyone – from the man who sells milk to the vegetable grower I had heard of Seedhi village near Gir forest. It you go to that village you will feel that you are in some African region. Muslims in that village are 100% of Africans descent. But they speak a dialect of Gujarati. My wife commented: ‘*ek bhi kachcha makaan nahi dekha dehaat mein.’* (I don’t see many mud houses in this village) It did not look like a poor, wretched village. I was amazed to go into the interiors and see the new prosperity. In the last 10 years, the economic condition of Gujarati Muslims, especially the poorer segments has improved dramatically. In fact, they have benefited even more than poorer Hindus because Muslims are entrepreneurial, plus they are very skilled and do not mind doing *haath ka kaam* (artisanal work). They have got a favourable environment to grow and experience upward mobility.

On Ghettoization of Muslims in Gujarat

Gujarat has become synonymous with ghettoization and marginalization of Muslims. Activists, academics, journalists have all joined in chorus to convince the world that Muslims lived at the wretched margins and there is no space for healthy interaction between the Hindus and Muslims. I asked ***Zafar*** *if experience of Hindu Muslim interaction was different in big cities like Ahmedabad.*

As for ghettoization of Muslims, forget about now, 60 years back Muslims could not own any land in Navrangpura. Now in Modi’s regime, Muslims own land on SG road and CG road. We are running our BMW dealership in the heart of Ahmedabad. When I wanted to open my showroom here, I told Modi: Sir, in this environment we will not be able to carry on with our businesses. I will not be allowed to own even a small plot of land in the elite areas on account of being Muslim. He said: “Here is the map of Ahmedabad. Tell me where are you planning to buy land? If the seller is ready and you have the money, I will see who stops you. I will have the administrative process completed within 24 hours.”

Ghettoization is actually breaking down in Gujarat. But don’t forget, separate neighbourhoods for different communities have been a fact of life for thousands of years in almost all societies. People like to live with their own. Even among Muslims, Sunni Bohras prefer to live with Sunni Bohras, Memmons want to live with the Memmons, Cheepas want to live with the Cheepas, Aghakhanis with Aghakhanis; and same thing with the Hindus. Patel will not live with the Shahs; Paldi is a domain of Jains. No Patel can come in Paldi now. Even in the old city, within Hindus, there is Sutharwara where all the carpenters live; there is a Soniwar where all the *sonars*(goldsmiths) and jewellers live.

This reminded me that even Indian bazaars have a similar clustering. For example, in Delhi, there is Dariba in Chandni Chowk which is a 100% jewellery market. You will not find a single cloth shop there. That’s the way our whole urban landscaping takes place. There is an electrical goods market in Bhagirath Palace and so on.

The ghettoization in England is worse. I have lived there for 7 years. I went to Blackburn once, met some Gujaratis. They said, ‘Zafar bhai, it is very good here.” I asked, “tell me why?’ They replied: “From Friday evening to Monday morning you don’t see even one white man here!” I was horrified. One kind of ghettoization is when you can’t enter a particular neighbourhood simply because you are not wanted, that is when you can say it is

discriminatory. The other is preferential; even when Indians go to the US many of them feel more comfortable in an Indian neighbourhood. The price of a house rises the moment a mosque comes up in any area. All Muslims neighbourhoods develop around a mosque. For example, Dewsbury is a small town in England, but because it has a strong Muslim presence, the houses in that area are more costly than in London because every Muslim wants to be there.

When Mr Modi used to live in Vadnagar, he used to live near Warvad, all the Sunni Bohras used to stay there. This whole concept of interpreting community preference for living among culturally close groups is absolutely misplaced and media has just ranted about it in a very wrong way. Community based neighbourhoods have a different logic. A Gujarati Muslim is more comfortable with a Gujarati Hindu than with a Bengali Muslim.

But I had heard endless accounts about discriminatory treatment given to Muslim neighbourhoods like Juhapura. What is your take on it?



Work in Progress: Juhapura

Juhapura was established in 1972. Out of the 40 years of Juhapura existence, Modi sahib has been there for 10 years and BJP for 15 years. Before this for 25 years it was under the Congress rule. There was no development work in Juhapura for a long time. In recent years development work has started there. Whatever development work was undertaken in that area happened under Modi sahib. For example, there was no service road. In the last four years, 10 km radius of Juhapura has a service road. Three town planning schemes for Juhapura came in 2006.

I told the people of Juhapura that if you have problems, you go to Modi and talk to him. They went and told him, "SG road is like the 5th Avenue, and CG Road is like Champ Élysées. Juhapura next to it is worse than Bharatnagar. Juhapura does not have proper roads and entry points." He said, "Yes it has to be fixed". And true to his words, in 2008 and early 2009 at least 6 town planning schemes have come for Juhapura and they have begun transforming the face of that Muslim-only neighbourhood.

Ever since Modi government introduced a comprehensive town planning scheme, even Juhapura has good connectivity to the rest of the city through CG Road and SG Road.

I was told that there is no drainage in Juhapura. So I went deep into Juhapura, and I met my relatives there. I asked my cousin, 'Why did you buy a house here when there was no drainage?' He said 'No, we have drainage'. I was myself surprised at this. Then I saw for myself. Juhapura is East-West and there is North –South. One side which connects with Vejalpur is very well developed; the other side there is no scope for development because it goes to the river. So there are some lacunae on that side. But in the last 2 years at least 60% improvement has come. What I say is, yes, if earlier there was 10 tonnes of garbage, and today there is only 5 tonnes left, does it not mean 5 tonne reduction? Why don't you acknowledge that? It is any day better than your Zakir Nagar in Delhi. I cannot bear to live in Zakir Nagar. What about the ghettoization in Delhi? There are apartments being sold in Juhapura for 2 to 2.5 crores. The place is booming with construction activity. It is far from being an impoverished slum.

I took a walking tour of Juhapura on January 13, 2013 and talked to dozens of residents and shopkeepers at random. The entire colony was buzzing with energy with a lot of new houses and many under construction or renovation. It had any number of cars and motor cycles. The bazaar was lively and cheerful. It did not look anything like the hell hole I was expected to confront going by the propaganda about subhuman conditions in Muslim ghettos. I will let the photographs I took that evening speak for themselves.

Here are some pictures of Muslim bungalows in Khursheed Park, Juhapura:













Boundary wall of one of the several Muslim owned bungalows in Juhapura

A neon light hoarding at the entrance of Juhapura advertsing a new real estate project

Below are some pictures of the burgeoning new construction in Juhapura







Pictures of the main bazaar of Juhapura









Below are some pictures of some of the lesser developed parts of Juhapura







Mohammed Hussain Gandhi Centre and Pir Mohammed Shah private hospital on the main road in Juhapura





To continue with Zafar:

I live in Mumbai, the cosmopolitan city of India. In elite areas like Bandra, Bandstand, Mount Mary, Pali Hill, in 70% of the buildings Muslims are not allowed to buy flats. I was told this on my face. Because my surname is Sareshwala, people think that I'm a Parsi. The moment I go they say "oh, no no". This I have been told umpteen times in Mumbai of 21st Century. The agent will only tell you right away which buildings you can't get a house in. Even if they agree to consider a Muslim, they interview the family. I was so zapped, that the building that I got a flat in, I gave my piece of mind to the committee. I said, 'What the hell do you think you are? I am more cultured than you. Culture has been ingrained in me for 600 years? What are you people so arrogant about? ' Today they are so happy with us, for everything they bring in Zafar bhai. There are two Muslim families in our building in the Mount Mary area. I am a much respected member of this community today. Bridging divides and breaking down stereotypes is a two way process. Muslims can't put the entire blame on Hindus. They must examine their own conduct also.

Are you saying the initiative for building bridges has to come from Muslims also?

Yes, I am saying precisely that. Our leaders have fed the Muslim Community on deep prejudice against Hindus and deliberately created mistrust vis-a vis Hindus. If Muslims live up to negative stereotypes people have of them, how can we blame others for our ghettoized existence?

During the 1985 Gujarat riots, I was in Delhi and was talking to my family on phone near Nizamuddin describing my nervousness in Delhi. A sardar taxi driver who overheard me said: "Mulla ji, no Hindu hates you here. We even worship your dead at the Nizamuddin dargah. (*Aapke murdon ko bhi poojte hain*), referring to the tomb of the sufi saint. Be like the Nizamuddin Auliya and we will worship you as well! In this dargah, don't the Hindus come in even larger numbers than the Muslims? Why would Hindus hate you?"

The moment Muslims change their *kirdaar* in Gujarat, Hindus too respond. For example, normally in Muslim weddings there are no Hindus. In my daughter's wedding, I did something special. I invited over 400 Hindus and had vegetarian meal prepared for them separately. Every Hindu woman who came congratulated me and said, "You did a great job. Spending time with the women in the zenana has a charm of its own (*Auraton ke saath baithne ka mazaa hi kuch aur hai.)"* Everyone appreciated the intermingling between Hindus and Muslims. Everybody came, even though they knew it was a traditional Muslim wedding. Someone has to make a breakthrough. How long can we continue living as stereotypes?

4

Did Muslims Vote for Modi Led BJP out of Fear?

In the 2012 Gujarat Assembly elections, 31% of Gujarati Muslims voted for Modi led BJP despite media and NGOs launching a high voltage campaign against Modi for being a "divisive" force in Indian politics. The enormous increase in Muslim vote for BJP was dismissed by Modi-Haters, including reputed political scientists, by saying that Muslims had voted for Modi out of fear.

*Those who hold this view need to hear **Asifa Khan** of Bharuch who joined the BJP a few weeks before the 2012 election after spending 4 years as the Congress spokesperson in Gujarat. Asifa is a highly respected public figure and her joining the BJP created a real stir. She is respected not just by fellow Muslims but also enjoys high level of prestige among the Hindus. (The full text of interview with Asifa will be posted soon).*

Asifa had become a local celebrity as a successful journalist much before she was handpicked by Congress stalwart Ahmed Patel to join the Party as its spokesperson. She took on the job with as much enthusiasm and sincerity as she did her job as a journalist. But she quit the Congress after four years of hard work.

*This is how **Asifa** describes her experience of being a Congress worker and why an increasing number of Muslims, including herself, are gravitating towards Modi's BJP.*



Asifa Khan

Being a journalist I got a chance to interact with many politicians and industrialists. Since I hail from Bharuch district, and Ahmed Patel sahib also hails from the same district, he knew me for years as a renowned journalist of the area. He knew I had very good reputation. I believe it is one of that reasons that he hand-picked me in 2008 as spokesperson of Congress party in Gujarat as well as Media Cell convenor of All India Mahila Congress. I do not recall that thus far he has handpicked anyone else from our district and given him/her such an important designation.

Without contesting any elections and without any political background—I was not even an ordinary member of the Congress Party -- I was straight away given such a major responsibility. To my knowledge I did all justice to that responsibility and did everything I was asked to do. My job was media management for the Party, especially the publicity part. But I was not made to come

face to face with the media. My job was behind the curtains. For example, if Rahul Gandhi was coming to Gujarat, I would design the program for him. We gave him the concept of*Abhay Udaan* and invited him to visit Gujarat and interact with the youth. We used to give him questions to work on and the tentative list of problems the youth would like him to speak on.

Sometimes I would be working till 1 a.m. in the night, discussing topics to be taken up by the Party and how we can make it work in the best possible way, what would Rahul be doing during his visit and how do we bring attention to the issues we want to highlight. I am the kind of person, when given responsibility I do it to the best potential I have.

In the 4 years I spent working for the Congress party, I came to see that the hard core issues and problems of people are not being addressed the way they should be doing. We were lacking leadership at the Gujarat state level which means that any issue that comes up doesn't get solved at the state level, you need to send it to a higher authority or to Delhi and once you go with those issues to Delhi, it is either too late to be addressed or the hands of the national leaders are full. Issues that are important at the grass root level seem to be immaterial or small in front of the "national" issues and left aside or remain unattended. This creates a boomerang effect at the grass root level because people feel let down at their problems being ignored.

For example, when a widow whose husband was in the postal department came to me for employment, this is a central government issue. They have promised her a job but she is not getting it. She comes to us with genuine papers once, twice, or thrice but if we cannot help her with her problem, we are not able to go and show our faces back to her. She will carry an image that Congress doesn't work. When I went to Kutch to interact with the Muslims, they said that earlier they were with the Congress but moved over to BJP. I was curious to know why they switched over to BJP. They said whenever we needed the slightest help of the Congress Party leaders in getting something done from the bureaucracy—such as license for a shop—we got no response. At times we could not even get an appointment; often there is no one there to listen to citizens with grievances. But in BJP we get prompt hearing. BJP leaders are receptive and accessible. One of the Muslim shopkeepers told me a friend of his took him to a BJP leader who promptly gave an appointment and sorted out the issue. He said to me, why should I not join the BJP? My house is running because of the BJP leaders and the councillor who actually helped me in earning my bread by getting me license for my shop. That is why, I switched over to BJP.

Another illustrative incident among many others in my hometown is that of a young boy running a small Chinese food kiosk. He joined the BJP way back in 2006. I asked him the reason and he explained saying, 'See I was finding a problem to get a hawker's license for my kiosk. I kept visiting various Congress leaders, including councillors, and yet nothing turned up. I am the sole bread winner of a family of 6. Ultimately, in sheer desperation I sought the help of a friend to introduce me to the BJP MLA. This MLA promptly took me to the relevant department and sorted out my problem by getting me a license from the Nagar Palika level. Now when my friend comes and says 'Why don't you put a BJP banner on your lorry how can I refuse him? I am here today because of my friend who took me to a BJP MLA".

> Let me give you another example: when Muslims go for Hajj, there is a formality that they need to get some documents signed by someone who has official authority. People often go to their area's MLA for that. In my district, when Muslims try to get an appointment with a Congress Muslim MLA, they do not manage to get one, whereas when they call up a Hindu BJP MLA, they get a prompt response. They are called in immediately and the forms are signed promptly. Forms for Hajj pilgrimage are signed by BJP's Hindu MLAs, without a fuss but Congress Muslims are very hard to get even for small things. These are indications of how BJP is being very helpful to Muslims at the ground level. They are extending their hand of friendship and they are non-arrogant. They give you an appointment without much fuss and help you without any discrimination.

In Bharuch, during the last municipal election, both the BJP and the Congress gave tickets to a Muslim candidate in a particular *mohalla*. But it is BJP's Muslim candidate who won. This clearly shows that BJP is being preferred by Muslims despite the fact that this particular area is part of Ahmed Patel Sahib's political base who is a big national leader. But he has no time to attend his constituency problems while the local Congress team is dysfunctional. They just want to go for photo ops when the big national leaders arrive. They are just for namesake otherwise people would respond to them in elections.

No wonder, day by day the Congress is losing in this state. Why are they out of power for the past 22 years? Out of 8 Municipal Corporations, 7 Municipal Corporations are run by the BJP. Why is it that Congress is not functioning properly even at the district level. They won in very few Zila Parishads. All the others are with BJP. Go further down, why is it that of the current Taluka Parishads in Gujarat, not even one is with the Congress? That means the party is finished at the ground level.

The Congress does not have a single credible face in Gujarat. That is why they are relying on BJP rejects. Did you hear any of the national leaders saying that this is the person that we are projecting as the chief minister? They didn't have a face till the last moment.

The Congress says that wherever Rahul ji went, we won the seats in that constituency. Then what stopped them from taking him all over Gujarat? If they so desperately wanted Gujarat this time, all their national leaders were proclaiming that they would win this time and if they say that wherever Rahul went he got a seat, what stopped them from taking him to 100 or 182 constituencies? This means that there is something dubious in the way they function. They took him only to places they thought will save his face and stature.

If you come at the last moment, you won't get any response. You have to be there 365 days of the year to engage with people to win their hearts. Modi *ji* was there with the people all the time; he attended numerous public events, constantly engaging with his people, responding to their needs and making the administration work to a purpose. And when he's there and keeps a watchful eye, the cabinet also works, the bureaucracy is also responsive, the Zilla Parishads and town councils also work, which means the entire system works.

Because the leader works, everybody under him is functioning. Why else would people come out in such large numbers to vote for BJP? Muslims did so because they developed active interest in governance.



Asifa Khan during the 2012 election campaign

In Bharuch, we have 38% Muslim voters, while the Vaghra constituency where I stay has 44% Muslims. It was a Congress bastion for years and years. Congress was confident that even if they lose entire Gujarat, they would win in Vaghra. Of the 44% Muslim voters, we could get around 28-30% Muslims voting for the BJP. In the coming years, it is definitely going to increase. The Election Commission did the best job they could in Gujarat. Barring one small incident, there was no untoward incident anywhere in Gujarat. Our elections are not held under disturbed conditions as in UP or Bihar. It was the most peaceful election. People came out on their own because they liked the leader his style of governance.

31% Muslims of Gujarat voted for the BJP. Not a single seat in Bharuch district – supposedly a stronghold of Ahmed Patel – went to the Congress. We took Ankleshwar, Jambusar, Bharuch and Vagra. The Jaghadia seat went to JDU. *Inshallah*, in the next election we will take back the JDU seat also.

I did not join the BJP at the spur of the moment or due to this or that incident. As a Muslim, I keenly observed that for the first time in decades there has been peace in the state. For 11 years there have been no riots, no curfews. As a field reporter I have seen riots very closely. I have seen that the same Gujarat which was unmanageable and constantly exploding has become manageable under Mr Modi. Whatever happened in 2002 was very unfortunate. But I also recall that the Modi government was only 4 months old and he had absolutely no administrative experience. He started his journey as CM with lot of disadvantages and negative baggage. There was a major earthquake in 2001 and a long legacy of riots.

And yet in 2003 itself he came up with the Vibrant Gujarat movement. Right from day one, he was development obsessed. He came up with major water projects like WASMO. Muslims can see that his team is working and there is no bias against them. Therefore, they started gravitating towards him. 2007 was a major testing time for us. We saw that no communal issues were raised by the BJP. Even in the 2002 elections, Modi was focusing mainly on development. There were no attacks on Muslims but the media created needless furore over a phrase like Mian Musharraf. It was the Congress Party which tried to play manipulative politics by using words like "*maut ka saudagar*" for Modi ji. BJP did not use such communal rhetoric. This is what the Muslims and everybody else in Gujarat likes.



Watch videos of Asifa Khan at:

http://youtu.be/nxeCmHeJl4k

http://youtu.be/ag03GFj_uSY

http://youtu.be/b2zJZ7MQIk0

http://youtu.be/wWfSraAdlg8

http://youtu.be/9fi8Bkh3KvE

http://youtu.be/fJKb0s9SagY

http://youtu.be/k3zEQCZNtzs

http://youtu.be/pyTsMjVUV0o

Moreover, we saw that there were police firings in 2002 to stop riotous mobs. Within 3 days everything was under control. The only disadvantage was that media did not focus on the positive actions taken by the government to save Muslim lives and bring down the riots.

Remember, since 1947 there have been 11000 communal riots in Gujarat. Did any of the previous chief ministers undertake a Sadbhavna Mission or work for national integration? Mind you, Modi did not start the Sadbhavna Yatra in a vacuum. For years before that, he actually put it into practice. Because he brought peace, prosperity followed easily. When there is peace people like to work study and go for new jobs. He opened many new educational and career advancement opportunities for Gujaratis. There has been all round development and Muslims are getting equal benefits. Today Muslims don't feel discriminated against. No development scheme has come in the name of minorities. Everything is in the name of Gujaratis. When he brought the coastal development scheme, there were no special baits for OBCs, Muslims or this or that section. But Muslims benefited equally. This is national integration in the real sense. All of us rise above narrow sectional identities and take pride in the collective development of Gujaratis.

Even while I was in the Congress Party I was watching all these developments. But as an opposition party, your job is to blame and criticize the BJP. My job was to find faults with Mr Modi and I couldn't find any. In fact, I started finding faults with my own leaders and saying why aren't we doing what they are doing? Why aren't we working for national integration? Why are we opposing Modiji for doing it? We should bring in schemes that benefit all. Why are we playing divisive politics based on caste or religion? Here is someone who is showing by example how to go about it! I think, this minority labelling is a shameful game. We want to be treated as equals. That is what we are getting now.

We are competent enough to find our own place. On this score I was again and again disappointed with the Congress.

Someone in my shoes should never have left the Congress because they gave me a big position. The man closest to Soniaji, her top notch political advisor was my mentor, my patron. I could have basked in the glory and stuck to it all my life. But I have chosen politics as a medium to serve my people, to attend to their grievances. I had the daring to say that this is wrong, I don't like it. I had been communicating this to the national leaders off and on. But no one paid heed.

Finally I decided to go and meet Narendra bhai Modi. I told myself his government is doing a good job; they brought hundreds of Muslims in as elected representatives at the panchayat, municipal and district level. Congress had been in power for nearly four decades. They never got as many Muslims elected in those long years as BJP has done in the last 10 years.

Do you know that the Haj Committee and the Waqf Board of Gujarat were as good as defunct during Congress rule? The party did not even bother to fill vacant positions. During Modi's tenure, all these Boards have been filled up and activated. Not only that, they have been given the status of full-fledged Corporations which means we are given more funds more powers, more autonomy to operate our Haj and Waqf Boards. They have become fully energized now. Even the Sachar Committee Report said that the recommendations made by them have been implemented best in Gujarat as compared to any other state in the country. That committee was appointed by the Centre and yet it had to acknowledge the good work done by Gujarat. That is why I felt a strong urge to meet Modiji.

I am the kind of person who doesn't take anybody's help while seeking an appointment because I feel I might be imbued with the colour he carries. I needed to meet him on my own. It was a very easy task to get an appointment. I just made a phone call to his office and left my name and number. I didn't even leave my designation. I just called him up as a Muslim woman from Bharuch and said that I needed to talk to him. That's the entire message that I left.

I got a call back and was given an appointment which was scheduled for just 5 minutes. But those 5 minutes turned into 55. Neither did I realize that I talked for so long, nor did Modiji point out to me that I've exceeded the time given to me. It was a one-on-one meeting. He listened to me very intently. Many people were waiting outside to meet him. Only when I came out and looked at my watch did I realize I had talked to him for nearly an hour. That is the moment I decided I am going to work for him because I found his attitude perfectly positive. In any case, he was already time tested.

So I joined BJP in October 2012, just a month before elections. I was told to handle my own press conference. He left it totally to me. Even other BJP leaders did not give me any instructions. If you watch that press conference, you will see for yourself that whatever I said came straight from my heart. Nobody gave me any directions. I got very high coverage. I explained what I found admirable in the Modi government and the media was free to ask me any number of questions.



Asifa Khan at a press conference

After that press conference I became an important media face for the BJP. It is noteworthy that while the party headquarter would ask me to appear for this or that media interview, press conference or a talk show on TV, I was never tutored to say this or that. It was marvellous to feel so trusted, especially for a new comer like me who had not been groomed by party leaders, who had not been trained about party line. I was given full freedom to say what I thought fit.

It was the same story during the election campaign meetings. For example, when Modi ji came to Vagra, I delivered the speech just before his address. Being asked to deliver a speech just before the CM's is high compliment. You must hear that speech. The trust they reposed in me gave a new edge to my oratorical skills. I got phone calls from all over the country appreciating my speech.

On the day of the results, which was a big day for us, I was asked by the party to sit live before such a gamut of TV channels that I lost count. Right from 8 o clock in the morning till 9.30 p.m., without any break, just a bit of water and a bit of Prasad is all I had while appearing as BJP spokesperson on that historic day.

During my Congress days, I was not asked to do such things. They knew that I could speak but I was only a background person. They knew that I was a press reporter and a public figure for 17-18 years. But they didn't utilise my skills, they used me only for background work. After the elections of 2012, I got calls from the Congress Party saying that 'you never did such work for us'. I replied that you never asked me to do such things for you; it was the same Asifa Khan with you for 4 years. If you cannot utilise my potentials and talents, it isn't my fault. I did all you wanted me to do with full sincerity.

***Asifa's** story of such easy acceptance within the BJP came as a surprise to me. It seemed logical to ask her whether she felt resented by others, whether they were jealous of her quick rise to prominence. She said:*

"No. There are two types of discriminations. First kind is when they try to push you down because you are a woman. In most of the male dominated societies, you might feel at some or the other point in life that you are being kept down. I didn't get that feeling. On the contrary, senior leaders were happy to guide and help me whenever I needed backup support with facts or whatever. I used to get print outs with figures and facts. Being a minority I was never discriminated, being a female I wasn't discriminated and being a new comer I wasn't discriminated. I never got the sense that they were jealous of me for being projected in a high profile manner. In fact, all these things turned in my favour. From day one everything was in my favour. In the first place was the acceptance from the CM from the moment he met me. He recognised my potential.

When I asked her if like ***Zafar Sareshwala*** *she faced any hostility from the Muslim community for having joined the BJP, this is what she had to say:*

Zafar bhai began engaging with Modi ji in 2002 when there was blind prejudice against Modi ji. Muslims did not really know him then. Now he is time tested. Therefore, Muslim community's response to my joining BJP has been marvellous! They were very happy. You should check out the enthusiastic response of Gujarati Muslims to my public meetings through the TV footage of those days available on You Tube. See video: http://www.youtube.com/watch?v=9fi8Bkh3KvE


Asifa Khan being felicitated by Gujarati Muslims

Changing Role of Muslims in Gujarat's Electoral Politics

I was told that Modi did not give a single ticket to a Muslim for the 2012 Assembly election because he had vowed publicly that if a single Muslim ever enters the Assembly, he will have the entire complex washed with Ganga jal. I asked ***Zafar Sareshwala*** *if there was any truth in this. Here is what he had to say:*

Absolute bakwas! Utter nonsense. It just shows how vicious are the lies being spread against Modi and how desperate is the Congress to keep the Muslim vote bank. Modi's hands were tied because of Congress ganging up with VHP, RSS and Bajrang Dal. Win ability was a major factor in this election. Why is it that those who criticize him for not giving single ticket to Muslims for the 2012 assembly election, never appreciate an unprecedented number of Muslims winning on BJP ticket in the panchayat, municipal and zila parishad elections?
If Muslims were seriously upset on this count would they have ensured victory of BJP's Hindu candidates against Congress Party's Muslim candidates in those areas where they a substantial vote percentage or majority?

The results of the recent Salaya Municipal Corporation in Jamnagar district show that BJP has won 27 out of 27 seats. Out of these 24 are Muslims who won on BJP tickets. Is this a freak case or a firm trend of Muslims winning on BJP tickets?

In the 2012 elections 31% Muslims voted for BJP. In Asifa Khan's Bharuch areas more than 35% Muslims have voted for BJP and this pro BJP voting has taken place even where the Congress candidate was a Muslim. Congress has lost even where Muslim vote share ranged from 38% to 62%. In such decisive constituencies, a BJP Hindu has won. Why? I said on CNN IBN, that you people are mistaken about the reasons for his high poll percentage in the 2012 elections. The 75% voter turnout happened because the Muslim community came out in big numbers to save Modi.

Before this election, numerous Muslims have won on BJP ticket at all levels- zila parishad, Municipal Corporation and panchayat. Salaya is on the western coast. Once upon a time, this area was famous for smuggling. It was one of the most neglected areas as far as economic and infrastructure development is concerned. It had no electricity, no roads. Modi brought in

an ambitious coastal development plan. In that area, there are a lot of Muslim villages. You can see for yourself that the development activity in the region included Muslim villages.

In the last election, when 5 Muslim candidates won on BJP ticket in this area, it made a big impact on the entire community. They felt that if BJP is bringing in so much economic development and also giving us opportunity to acquire political office, why should we stay out?

The election results of zila parishads and Municipal Corporation counters the propaganda that only urban Muslims have benefited from Modi's development agenda. These results clearly indicate that the rural Muslims in erstwhile neglected areas have benefited far more and therefore are turning towards BJP in a big way. In the panchayat elections, BJP has won more than 60% of total seats. Out of 76 Nagar Palikas, BJP won in 45. In 20% of the panchayats they are 50-50. Voters are not influenced by marketing images. They vote for a party they have traditionally avoided only because they see the ground reality change dramatically in their favour.

However, in my view, a certain number of Muslim candidates winning elections is far less important than the economic development of Muslim community. When a certain number of Muslims or SCs win elections and hold political office, it does not necessarily lead to betterment in the life situation of the entire community, especially since too many of our elected representatives of all communities start behaving like super maharajas without the social responsibility erstwhile maharajas held towards their*praja*. When a certain number of Muslims or SCs win elections, political power rests in the hands of select few but inclusive economic development raises the status of the entire community which can then negotiate with these power holders from a position of relative strength. This is exactly what is happening in Gujarat.

To call Modi a popular chief minister is an understatement, Modi's constituency loves him, you may like it or not. They think that he is bigger than Salman Khan *(ye Salman Khan ka baap hai).* Even the Muslims who went to vote in unusually large numbers did so to save Modi. I know some very big Islamic scholars who said, "Vote for Modi. We need Modi. May Allah save us, if he loses! Who knows who will come if Modi loses!" (*Modi ko vote do, Modi chahiye, Allah khair kare,Ye haara kaun aayega pata nahi).*

When 31% of Gujarat Muslims voted for Modi in the 2012 elections, they were accused of voting for BJP under fear. In 2002, Gujarat Muslims were actually terrorized. But at that time they did not vote for Modi. Do they mean Muslims got terrorized in 2012? When the atmosphere was actually filled with terror in 2002, the Muslims did not vote for BJP. But now Muslims have progressed. They have experienced terror-free life. They know they can exercise free choice. No one can say that Gujarat elections have ever been rigged.

It's also a bogus charge that only wealthy Muslims have moved towards Modi. See, for the wealthy it makes very little difference whether the BJP is in power or the Congress. The big industrialists actually prefer a corrupt government because they can manipulate it in their favour. An honest government benefits the ordinary citizen and poorer segments of society the most. Even if there is a 200 day curfew in Ahmedabad, people like me are not worried about the ration in my house or my children going hungry. But the poor Muslim who sets up a hawker cart on the roadside or the one who drives a rickshaw or taxi- his life is adversely impacted even if there is a two day curfew. There will be no ration in his kitchen. It is this

segment of Muslims that have gravitated towards Modi in larger numbers because the fruits of good governance and riot free Gujarat have benefited them most. BJP does not take Muslims for granted. At every level BJP leaders are actively engaging with Muslims. You feel important when a candidate comes to you and taps you on your shoulder and says "boss, I have come to request you for your vote." This gives the community much greater sense of dignity than merely having 2-3 token candidates of their own community put up as tokens.

Enough is enough. I would trust an honest Hindu more than a dishonest Muslim. Just because you want to fill in a blank you want a Muslim, we don't want the token Muslims of the type Congress has to blindly do its bidding. We prefer a person who does justice, even though he may be non Muslim. We don't want a rubber stamp. For the last 50 years; they have been making fools of us by hand picking a few rubber stamps. We don't want them anymore. Why do you want to have a Ministry of Minority Affairs? You won't give me my basic rights as a citizen, but you promise me what is not my rightful due. You promise me reservations which you cannot give me as per the Constitution. But when I say, please build a small primary school in my area, something you can easily do that you Congressmen don't do!

The truth is Modi has excellent personal relations with any number of Muslims. He has built a very strong team of Muslims who work closely with him. They are well educated; command the respect of the community. They are not seen as *bikau* types; they are not the kind who curry personal favours and become courtiers. By contract, the Congress Party is today devoid of a credible team of Muslim leaders, not just in Gujarat but also the rest of India.

Tell me, do you see any serious Muslim face in Rahul Gandhi's team? Can anyone of Congress Muslims help it come to power in UP or Bihar?

Media has never celebrated the unprecedented victory of hundreds of Muslims in Panchayat, zila parishad and nagar palika elections on BJP tickets. But they rave and rant endlessly about Muslims not being fielded in Assembly elections. Why are they so desperate for bad news from Gujarat? If they don't get it on the ground, they will cook it up!

I am convinced that these recent elections in which Muslims are openly voting for Modi will be a game changer for all of India. If BJP projects Modi as their prime ministerial candidate, I think Modi will have no difficulty in convincing the rest of India, including Muslims that he is their best choice. It will be a cake walk for him.

Those who allege that only wealthy or elite Muslims are tilting towards Modi should be reminded that only a small super elite group among Hindus in select metros are demonizing Modi. This is all media manipulation. Modi has built a very strong team of thinking and respected Muslims in Gujarat. That is why people like Maulana Madni feel compelled to revise their stand. He has had to admit that Muslims of Gujarat are prospering. If there was discrimination, how could Muslims prosper?

In pre-Modi days, the BJP did not have a single Muslim face in Gujarat. Today, it has the most respected Muslims to act as BJP spokespersons. It is the Congress which has lost out on Muslim support and doesn't have a single credible face to defend the party. They only have NGOs of Mumbai and Delhi to act as Congress mouthpieces. The Gujarat Muslims can easily convince Muslims of other states about Modi's credentials because they have experienced the change and shared the fruits of peace with economic development.

Congress used to think that these people will not go anywhere else and will vote for us only. The predicament of the Muslims was indeed pathetic. The Congress used to take them for granted and did nothing for them. On the other hand the BJP thought that Muslims are not going to vote for us so why do anything for them. But this time the BJP adopted a pro-active approach. The result of that is there to be seen – Bharuch has five constituencies each of them with at least 20% Muslim voters. One constituency where BJP candidate won has 49% Muslims .It is not as if all Hindus voted for BJP. At least 30%-35% of Hindus always vote for Congress. So, in Vagra where the Congress candidate lost it is not possible that only Hindus voted and all the 35% of the Muslims did not vote. Surat East has a constituency named Limbaya ,the Congress candidate lost there by 40,000 votes and Jabalpur where there are 62% Muslims, 10,000 Muslim votes went to the BJP candidate who won. As I said earlier, Mehboob Ali Shah, IGP Sayeed and Asifa Khan worked very hard for BJP. A lady named Tayeba came from Hyderabad to campaign for the BJP and she too worked hard. BJP candidates were very pro-active – they held many public meetings in Muslim areas which was unheard of before. Earlier when Hindus used to campaign, Muslims were not allowed to participate. This time they held meetings in Muslim areas without security. I think that the Muslims who have come to BJP will prove to be game changers.

The anti-incumbency factor affected some BJP MLAs who were poor performers. There was no anti-incumbency against Modi. Since Congress joined hands with RSS/BJP defectors Keshubhai and Waghela, Modi was put in a tough situation. If he had not given tickets to these sitting MLAs, they would have moved over to Keshubhai's party and dented BJP's vote. Congress thus managed to tie down Modi. Otherwise, he would have dropped the poor performers among his MLAs and ministers.

5

Of Skull Cap, Miyan Musharraf and Modi's Sadbhavana Yatra

One of the criticisms levelled against my earlier articles on Narendra Modi is that I am relying over much on the accounts provided to me by Zafar Sareshwala. I do so without any apology because:

- *Zafar does not centre the conversation around himself. He is a very perceptive observer of emerging trends in Gujarat's economy, polity and social life. He provides concrete examples to illustrate every point. The facts he puts forward can be cross checked by anyone. They allow you to reach your own conclusions. Thus far I have not found any discrepancy between what he described and the actual situations on the ground.*
- *Zafar is not just a complainer and fault finder. He is actively engaged in solving the problems of the Muslim community in concrete ways that go beyond sarkari dependence. Therefore, his approach is practical and exudes the optimism of a real doer.*

One of the most unexpected statements I heard from several Muslims in Gujarat was that Modi has also won over the maulanas and heads of madrasas. Many maulanas actually campaigned for his victory. How did this happen? As with several other issues, ***Zafar Sareshwala's*** *observations provide a good overview:*

This has been a long process. To begin with, Modi took firm measures for the protection of witnesses of 2002 riots. It is only because those witnesses could testify even against ministers, that Gujarat has seen so many convictions of riot accused. Secondly, Modi gave new life to the hitherto corruption ridden, defunct Waqf Boards. Under the Congress regime they had been handed over to Muslim dons. Modi picked one of the most respected Muslims-Retired Additional Director General Police, A.I. Syed to head the Waqf Board in Gujarat. He is working hard to clean up the institution but it is not an easy task given the state of affairs it was in.

Steps Taken to Preserve Islamic Heritage





Sarkhej Roza after renovation

Lit up for the Sufi Festival to celebrate Ahmedaba heritage

Modi is taking major steps to convey to Muslims that they matter. For example, Ahmedabad Municipal Corporation has for the first time allotted a section of the budget for tourism. They are going to restore the glory of 5 historical monuments. Out of those five, three are from the Islamic period: Seedhe Saiiyad ki Jaali, Jhoolta Minara and Sarkej Roza. Already a lot of work has been done by the Government of Gujarat on restoration of Islamic heritage. If 10 years ago someone had asked me let us go visit Sarkhej Roza, I wouldn't have agreed. It was in a very bad state. Even though it was under the Archaeological Survey of India, it had no amenities and was absolutely neglected. Apart from the structure, the surroundings make a big difference. Modi's government has developed a green belt and a beautiful garden around that monument in addition to spending nearly 3 crore rupees to recharge and beautify a huge water body around it. It has now become a tourist attraction. Incidentally, since the last 5 years Government of Gujarat has been organizing an international sufi music festival at Sarkhej Roza. It is far grander than the sufi festival organized by the Delhi government. They have singers from Pakistan, Egypt, Iran and other Muslim countries. Sabri Brothers have also performed at this. Modi sahib sits through these sufi performances for hours on end.





Sufi performances at the Sufi Festival during Heritage Week at Sarkhej Roza

Now they have taken up four more such old Islamic monuments for restoration and development. If Modi were hostile to Muslim heritage, he could have let such places fall

apart as was happening earlier. But the Government today boasts in its promotional programs that Gujarat state has the largest number of Muslim monuments.

At one time Muslims used to think that Gujarat government promotes Somnath temple, Dwarkadhish and such Hindu monuments but not our Muslim heritage. No one may have said it aloud, but it was certainly at the back of the community's mind. Nobody from among us raised this issue with Modi but the Gujarat Government started work on these quietly – no fuss, no pompous announcements. So much so that most Muslims are not even aware of the transformation that has taken place but the Government today owns these with pride as Gujarat's great heritage. In a booklet issued by the Gujarat government, they have written, "We are proud of the heritage of Badshah Ahmed Shah." Remember, earlier BJP had tried to change the name of Ahmedabad to Karnavati in an attempt to erase the Islamic heritage of the city. But the way Modi is handling this heritage is altogether different.



Jhoolta Minara

To give you another example, in August or September 2012, some people from a madrasa went to meet Modi. They had discussions on a lot of issues. The madrasa in Dabhel in Navsari district near Surat is considered to be the Deoband of Gujarat. The Mufti of that institution is an all-rounder – he reads the Hadis, knows the *tafsil* of the Koran. The delegation explained to Modi that their children study in madrasas for 8 to 9 years. After this when they leave the madrasa, there is no recognition of the certificate/ degree that they get from these community institutions. As a result they are unable to get any job. The delegation wanted that after due evaluation of the madrasa, the certificate given by them to the students should be recognized by the government. Modi asked them to describe what is taught in their madrasas. He listened patiently for over 45 minutes to these maulanas' description of the subjects that are taught and their range of disciplines included in the madrasas. He was impressed with their curriculum and the quality of education being imparted. The delegation also requested him to ensure that the students passing out from madrasas are enabled to get admission to second year BA so that they may continue their education in the mainstream system. Modi responded saying it is an excellent idea and he would lend full support to it. Now the ball is in the court of the muftis and maulanas. They have to bring a proposal to the Government with a list of their students who wish to get admitted into regular college.

Before this we had prepared some children from the Himmat Nagar madrasa to enter the mainstream by sitting for the SSC exam. These children had never gone to a formal school. The Government has a rule that to sit for the SSC exam you have to pass the seventh class – you may have studied for four or five years but if you have passed seventh class, then you can sit for the SSC exam. This was not the case with these children. They had not gone to any regular school. How could they have passed seventh class? We approached the Education Department – they were very positive. They said that if we were confident that the children would work hard and study to pass the examination, they would give their approval. This is clearly because there are orders from the very top to every department that their job is to facilitate things for citizens instead of creating hurdles. 11 children gave the SSC exam directly – these 11 had never attended school and they passed the SSC exam in first class with 65% marks in science. Now these children are studying in class XI and finishing their madrasa education as well. I have always maintained that we do not need any

aid from the Government – all we want from the Government is logistical support and that no one be allowed to put a spoke in our wheel.

Muslims voted for BJP in big numbers because BJP and Narendra Modi had worked hard for it well in advance. It was not overnight that the Muslims switched their allegiance to BJP. For example, many of the Muslim centric democratic institutions that had become defunct were revived. So, the message had gone out, through a series of steps over the last several years.

Revival of BJP's Minority Cell



Narendra Modi with representatives of minority communities

Every political party has a Minority Cell – even the Congress has it. The Minority Cell of the BJP had become defunct after 2002. Modi has reinvented the Minority Cell of BJP and given it new energy. In 2012, when the first convention of the BJP Minority Cell was held, Narendra Modi's address focused on the inclusive development model of Gujarat of which Muslims were an integral part. That was the basic theme of the address. Modi is accused of ignoring Muslims. But he has actually initiated Muslim centric development without indulging in divisive rhetoric. The convention organized by this BJP Minority Cell in Gandhinagar in 2012 witnessed the participation of 400-450 leading Muslim figures. Modi not only addressed the convention but sat through its proceedings. The minute attention he pays to what Muslims are saying is what makes our people feel it is worthwhile engaging with him. He is a doer and does not confine himself to mere talk and tokenism. His message to the Muslims has been: Don't act as a captive vote bank for any party. You don't even have to vote for BJP. But engage as active citizens; become part of the growth story of Gujarat. He was also sending out a clear signal by addressing a hitherto defunct Cell of the party personally that it wanted it to have a new vigour and lease of life.

Before this convention a delegation of 26 Muslims went and met Narendra Modi. I went along with them. There were 2-3 ladies also who run an NGO for riot victims and their rehabilitation. Modi listened to them for one and a half hours. Then someone asked him what message he wanted to give to the Muslims. Modi replied: " Tell all my Muslim brothers (he used the word *Musalman bhaiyo*) that you should not be mere voters for any political party but be citizens who think for themselves and that you should be a part of the growth process and benefit from it. And if for any reason you are left out of the growth process then you should come to the Government with your complaints." It was not said behind a closed door to me alone but was said in the presence of 26 persons none of whom was a politician; these were businessmen as well as people who run schools or hospitals.

On Modi's Alleged Propensity for Hate Speech

Modi has been projected in the national media as a politician who indulges in a lot of hate speech, ***Zafar*** *bhai do you feel aggravated about Modi's way of addressing Muslims?*

This image has ultimately acquired popular currency. I have dealt with all these questions but on closer examination, I found that even that charge is baseless. He did make one remark during the 2002 election which could be constructed anti-Muslim but other than that, I have never found him to be abusive towards Muslim or anyone else.

Some 4 years ago a group of about 40-50 Muslims went to meet Modi. I was part of that group. This delegation said to him, "People think your speeches widen the gulf between Hindus and Muslims". He replied: "Forget my tenure as CM; I have been an RSS pracharak (preacher) for long years before that. If you can pick even one offensive sentence from my speeches as a *pracharak* (preacher), I will voluntarily quit my public life and resign as CM. I want you to note three things in particular. I have:

a) Never made a negative comment about Mohammad sahib.
b) Never attacked Islam;
c) Never attacked the Koran.

If any of you find evidence to the contrary, bring it to me. I will right away resign as CM."

When we investigated the matter, we found Modi was right. Even when we look back at his election speeches of 2003, barring one comment, there were no attacks on Muslims. This was when talking about the need for family planning measures; in a barely veiled reference to multiple wives of Muslims he said something to the effect that some people oppose family planning with the idea: Hum Paanch, hamare pachees.' We grilled him about that comment.

Modi explained it saying: "Please understand, election time is like Holi. It is assumed that people will take liberties with each other. Just as in Holi, men will throw colour at even unknown women, and people indulge in mutual pranks saying, "Don't mind, it is Holi" (*bura mat mano, holi hai),* so also during election time people do take pot shots at each other and in the process some indiscretions take place. Other than that one comment, you can't point out anything offensive I said about Muslims or Islam.

I want to tell you that the "5-25" comment had another context. These things are hushed up but this comment was made during the election of 2002 in the backdrop of certain untoward happenings in refugee camps. There were a number of incidents of rape, sexual molestation and extra marital liaisons resulting in pregnancies within the camps. All this happened within the community. That is why many of us wanted these camps to wind up fast and get uprooted families return to their homes. When families are huddled together like that, these things can't be controlled. Far sighted community leaders wanted that these camps should not continue indefinitely because there were plenty of instances of misbehaviour with women. In that context, Modi made that "5-25" comment which was certainly not in good taste. But other than that, there have been no offensive speeches.

But his addressing former Pakistani president as 'Miyan Musharraf cannot by any stretch of imagination be considered an abusive term. No doubt, there is a touch of sarcasm when Modi uses this term but in itself the word "Miyan" is widely used by Muslims to address each other

in the normal course of conversations. But think of all the venom and poison aimed at Modi—he has been called a fascist, a snake, a scorpion, merchant of death, Milosevic, Hitler and what not. But if he as much as says, “Madam Sonia ji”, they think he is being abusive!

Modi says, "Musharraf is a Pakistani general and Pakistan is a hostile nation which has caused enormous damage to India. I have a right to take pot shots at him. Those can’t be construed as attacks on Indian Muslims.”

“Miyan Musharraf” comment came in response to Musharraf having made a very negative speech in the U.N about Gujarat. So Modi told him to mind his own business. We too feel that Musharraf had no right to speak on our behalf in the U.N. These are our internal issues; we can handle them on our own strength.

In 2002 itself, Modi had begun campaigning in “development mode”. When we first met him in August 2003 in London, he was visiting England in connection with the first Vibrant Gujarat Summit. He made it clear by then that there is no alternative to economic development. Therefore, he did not fight the 2002 election using the communal divide rhetoric even though he undoubtedly benefited from the existing communal polarisation.

Goodwill Mission Real or Phoney? Modi’s Sadbhavana Yatra

Since Modi’s Sadbhavana Yatra (Goodwill Mission) aimed specifically at the Muslim community was endlessly derided by the media as well as the Congress party and its favoured NGO’s, I asked ***Zafar*** *whether Muslims viewed it with equal suspicion and derision.*

Modi did Sadbhavana Yatra towards the end of a long process. He had already created Sadbhavana by his deeds. He had delivered on his promises. That is why his Sadbhavana Yatra worked. It would not have worked if it was a mere show of goodwill. Mind you, Modi did not have to bring rented crowds. The Muslims who joined him were genuine Muslims who love Modi. The Yatra had a clear message for Muslims: ‘the government is committed to protecting and strengthening your rights as equal citizens. Don’t stay politically ghettoized, don’t become a captive vote bank for any one — not even BJP. People say that it is was only a facade. I say, let it be a facade but remember the facade of the 90s when BJP hated the sight of Muslims. Today when Modi sahib gives a speech, sitting before him will be women in *burqas* and *topiwala* Muslims.

One of the oft repeated” proofs” offered by secularists of Modi’s hatred of Muslims is that he refused to wear a skull cap offered to him by a Muslim during his Sadbhavana Yatra. Why did Modi snub the offer of a skull cap considering it was a high profile event when national media was watching every move he made?



Narendra Modi accepting a green shawl with Islamic verses written on it during the Sadbhavana Yatra

That controversy over the skull cap was nonsense, a nonstarter. I don't know how media can give importance to such issues and distort them so badly. Islamically speaking, the skull cap has no importance. You go to any Arab country, you won't find a single Muslim wearing a skull cap during namaaz. Even so, I asked that man what happened that day. He told me, *Modi ne aise koi utaar nahi di, bola topi mat pehnao, lao shawl de do green wali*. (It is not as if Modi removed the skull cap from his head. He just said: don't put a cap on me, give me that green shawl you have for me.) As you know the green colour is more symbolic from Islamic viewpoint.

And that topi was the skull cap of Jews. Why is media not bringing this out? I too asked Modi, why did you not wear the cap? *Who bole "ki topi musalmano ka chinh hai ya wo hari shawl?Doosri baat, kya aapko topyian kam pehnai har Iftaar parties mein? Iftaari jab hoti hai, har politician topi pehenta hai aur musalman khush ho jaate hain..(*Tell me, is the green shawl more of symbol of Islam or the skull cap? Secondly, have you not had enough of skull caps during Iftaar parties? During Iftaar, all the politicians come wearing skull caps and Muslims feel elated at just that!) Then I further asked that man: did Modi abuse you when refusing the skull cap? He said, "No Modi simply said, don't put the cap on me, give me the shawl."

*At this point **Asifa Khan** intervened to say:*

The shawl had the Islamic verses (Kalma) written on it

Why did you not issue a statement to the press to clarify the misunderstanding?

I asked Modi, may I say all this publicly? He said: "You say it. But I won't bother to offer explanations because media is determined to distort all I say." So, I said all this on T.V.

Asifa Khan added:

"I had issued a press statement explaining what had actually transpired. But the media refuses to pay heed to any fact that portrays Modi in good light. They go on and on repeating the same lies again and again to attack him. That is why Modi has stopped paying heed to what media says".

To continue with Zafar:

Apart from close personal relations with a whole range of Muslims, including those like film script writer Salim Khan who has no relation with party politics, Modi is very well informed about Islam. He knows the Koran and Hadis as well as the religio-cultural practices of Muslims far more closely than does an average Muslim. Let me give you an illustration of this. A Muslim once wrote to Modi saying, "You should not judge Islam from the behaviour of current day Muslims. I want you to read this biography of the Prophet to understand Islam in its true spirit."

Sure enough Modi read the book very closely. I know this because once a group of us 25 Muslims had gone to discuss some issues with him relating to education. In the midst of our conversation, Modi took out that book and read out a quotation from the Hadis where the Prophet says that seeking knowledge is the duty of every Muslim — be it man or woman. Muslims should be knowledge seekers, no matter how much effort it takes and how far the person has to travel for it. Modi told us: 'Islam is the first religion to lay such emphasis on the need to acquire knowledge by one and all. I feel very sad that today's Muslims have come to be branded as *jaahil*, backward looking people caught in a time warp.'

It was interesting to see how carefully Modi was reading that biography. It was marked, underlined in key places with notes written all over the book.

This is something very noteworthy about Modi. He is not only a voracious reader on an amazing range of subjects – but also a very careful and prompt reader. For example, whoever goes to him with a complaint, memorandum or document, Modi reads it right there and then with minute attention. He is not like typical bureaucrats or politicians who will ask you to leave the papers and then forget all about them. He will give you an instant response. If it needs further probe, he will tell you a time frame within which you will get a response.

I have witnessed this nearly 150 times when I have gone with some or the other group of Muslims to sort out some issue. He has never put aside the complaint or memorandum for reading later. But then I too have maintained strict discipline and integrity in this matter. I neither go to him for any personal agenda or favour, nor do I take to him cases of those who require personal favours. I have let my community know, I will only help them with issues or work that is *quam ka kaam* – something that benefits the community, not this or that individual. Now so many Hindus also approach me. But I use the same criteria with them.

You will find many Hindu supporters of RSS/ VHP/ Bajrang Dal and Congress abuse Modi. But most Muslims are responding to Modi with enthusiasm. Let me share a revealing incident with you.

A day before my daughter's wedding, I got a phone call from Mr Modi saying 'How are the preparations? I was taken by surprise that he remembered the date of my daughter's wedding, especially since the very next day there was a major BJP event in the city stadium. I replied saying, "It is you who is busy with the preparations in the stadium". He repeated: "How are *your* preparations going?" His next sentence surprised me even more. He said: "I am coming tomorrow evening at 8 o'clock." I told my wife about Modi sahib's coming and said, this has created a real *museebat* (trouble) for us. We have purdah system with men and women in segregated spaces. He is coming to meet my daughter. It is a big issue how to take him to the ladies section in violation of purdah norms.



Narendra Modi at Zafar Sarewala's daughter's wedding

But I wasn't sure if he'd actually come simply because he said he'll come. On the day of the reception, I got a phone call from the CM's office saying 'sahib has left for your house. He will reach in 40 minutes." I asked my wife how are we going to get our daughter to meet him; she said 'we will put her in a burka and bring her out.' In the meantime, he arrived. We could not communicate with the zenana section to warn them in advance, so in that rush we just took him to the ladies section. You won't believe it, our guests responded to Modi's sudden appearance as though Salman Khan had suddenly appeared on the scene. Every single person wanted to shake hands with Modi and wanted to get photographed with him. Those who came late curse me till date that if Modi was coming why did you not tell us in advance; why did you deprive us of the chance to meet him? I had expected that people might avoid meeting him, will stay away, and keep a distance. But everybody was scrambling to meet him. When we went to the ladies side, I told myself, I already have 11 fatwas against me; one more will come with this!



Narendra Modi with guests at Zafar Sareshwala's daughter's wedding

As we were at the entrance of the ladies section, Modi told his security staff to stay out. He walked with me alone to the ladies section. We went to the stage, he gave blessings to my daughter and there was a mad scramble among the Muslim women with burkhas to have a photograph with Modi. Since I am not a "secular" Muslim, this was a hard core Islamic wedding of real puritans. He was there for good 45 minutes; he met everybody. So much so that he moved around the wheel chair of one of my sons who is paraplegic, shook his hands and tweaked his ears. He was in a jovial mood, meeting everyone and taking in everything.

Take the example of Mahesh Bhatt – he has been the most vocal critic of Narendra Modi. And yet Modi personally phoned him in 2004 after he had delivered a speech attacking Modi. Mahesh Bhatt has recorded in his diary that he made this speech at 10.30 am and at 12.30 he got a phone call from Modi. Modi told him: "Never mind that you have called me names – please come to me at any time of the day or night and tell me what problems you want me to address." Mahesh Bhatt says that he would remember to his last day that Modi had made an offer for a dialogue but Maulana Madni refused it.

I told Mahesh bhai that I too had the same fear: what would my constituency say about me? However, if you want your community to benefit and your existing constituency is not receptive, then change your constituency. To be fair to Mahesh Bhatt, he spoke to Maulana Asad Madni (who was alive at that time) and Asad Madni said that his son Mehmood should talk to Modi. That did not happen. During the 2006 floods in Gujarat – Surat, Anand were affected. Modi himself went to Surat despite all the filth and sewage. His message was very clear – the relief was to reach everyone including Muslims. The Muslims were very satisfied with the efforts and when Mahesh Bhatt praised him; his "secular" friends became his enemies. Mahesh Bhatt said that he was just saying what he had actually seen happening at the ground level. There was no discrimination between Hindus and Muslims with regard to the relief provided by the Gujarat Government.

Today Modi has an active team of highly respected Muslims such as Asifa Khan, A.I. Syed, Mehboob sahib and many other credible persons. The enlightened Muslims are with the BJP. The Congress on the other hand prefers to have Muslims who are willing to be rubberstamps. Asifa, Syed sahib and others worked very hard during the election campaign. But they would not have been successful without BJP as a whole embracing Muslims and being proactive in garnering the support of Muslims. All those, who say that he is dictatorial and authoritarian, are simply off the mark. No one who has engaged with him will say that.

6

Heroes of the Secular Brigade



Just as during the festival of Holi, people take a lot of liberties with each other saying "*Bura na maano, Holi hai"* (please don't mind, this is Holi), so also the new mantra of the Congress party is to respond to charges of heinous corruption, murders, mayhem, rapes and instigating riots is: "*Bura na mano*, we are Secular". However, the pranks people play on Holi are relatively innocent and the play is with colours. But the Congress is playing a very divisive and bloody game which has life and death consequences for India and its people.

The mask of "secularism" is what allows numerous Kamal Naths to continue to reign supreme in the Congress Party despite their involvement in the 1984 massacre of Sikhs; this is how Congress Party can overlook thousands of communal and caste riots under its regimes; this is how Lalu Yadav and Mayawati as valued partners of UPA brazen out corruption cases against them; this is how a goonda infested party headed by Mulayam Singh Yadav, charged with massive scams retains the badge of honour reserved for "secular" allies of Congress party; this is how Abhishek Manu Singhvi returns as Congress party's official spokesman despite the most revolting evidence of him demanding sexual favours from a woman lawyer aspiring to be a Judge of the Delhi High Court; this is how the Party can justify its alliance with Muslim League in Kerala; this is how Sonia Gandhi and her relatives get away with using the state machinery to protect them from countless charges of corruption and crime; this is how Omar Abdullah keeps getting good character certificates from the Congress High Command despite having been personally implicated in humungous corruption, large scale human rights abuses and killings under his regime, including alleged murder of a senior party colleague. The list of all sins, all crimes justified/forgiven to the Congress Party and its allies because of the mask of secularism are endless.

A good illustration of this mind set is the sudden propping up of IPS Officer Sanjiv Bhatt as one of the prime stars of anti Modi Brigade in 2009.

On 23rd March 2008, in response to a petition filed by Ehsan Jafri's widow, Zakia Jafri along with Teesta Setalvad, alleging criminal conspiracy by Narendra Modi's government, a "deliberate and intentional failure" to protect life and property, and failure to fulfill their constitutional duty, the Supreme Court appointed a Special Investigation Team (SIT), headed by **former Central Bureau of Investigation (CBI) chief R K Raghavan**, to "inquire and investigate" cases relating to the various incidents connected with 2002 riots. In 2009, the Court directed the SIT to investigate the actions of Modi and 62 other people named in Jafri's petition. (I will write about this petition later). It is at this point that Bhatt was brought in as a prime witness against Modi.



R.K Raghavan

Sanjiv Bhatt made three allegations against Modi in 2009. The Special Investigative Team appointed and monitored by the Supreme Court of India dismissed each one of those allegations to be false and motivated. After prolonged and thorough inquiries among several other reasons cited by the SIT to dismiss Bhatt's charges, they noted:

- Sanjiv Bhatt has not been able to give any satisfactory explanation why he did not file an affidavit before Nanavati Commission and also did not appear as a witness in response to the Govt. circular before any legal authority when he was in possession of plethora of information and was an eyewitness to some of the important events. He fails to explain why he did not respond to a public notice issued by SIT on 11-04-2008. His silence for a period of more than nine years without any proper explanation appears to be callous and gives an impression that he is trying to manipulate things to his personal advantage to settle his service matters." (SIT report page no.35-36)

- On being questioned, as to why did he not appear as a witness in response to a public notice issued by SIT on 11-03-2008, he claimed that he did not disclose the same to anyone, as it would not have been appropriate on his part to divulge any information that he was privy to as an Intelligence Officer unless he was under a legal obligation to do so.

- He also stated that he did not file any affidavit or appeared before any commission or body enquiring into the communal riots of 2002, because he was not asked by the Govt. of Gujarat, DGP or Addl. DG (Int.) to do so. However, he denied knowledge as to whether the so called instructions given by the Chief Minister were passed on to the field units by any of the officers, who had attended the meeting on 27-02-2002. [He needs to explain who put him under "legal obligation" to make common cause with anti Modi NGOs and Congress party to personally target Modi after 9 years of silence].

Instead of succeeding in getting Modi implicated, Sanjiv Bhatt ended up being seriously indicted by the SIT for his mischief. SIT also took note of criminal cases against Bhatt which are incidentally all from pre-Modi days. They include charges of recruitment scam under his charge as SP Banaskanta, abduction, killings and planting narcotics with a view to blackmail. The SIT report not only lists his past criminal record and dubious credentials but also concludes after investigating his charges that Bhatt lied and brought in tutored witnesses to implicate Modi. Gujarat Vigilance Commission recommended

twice on 15-07-2002 and 19-10-2006 that Sanjiv Bhatt should be placed under suspension for his professional misconducts, but Bhatt managed to get stay orders from the court each time. SIT concludes: "…it can be inferred that Sanjiv Bhatt is facing a lot of problems in service matters and has got an axe to grind against the Govt. of Gujarat and, therefore, his evidence is ill motivated and cannot be relied upon."

But since the media either ignored the SIT report or joined Teesta Setalvad in attacking SIT and continued repeating the same old hackneyed charges against Modi even after he was cleared by the SIT report, Bhatt continued being treated as a hero who had taken on the "Hitlerian tyrant" Modi.



Shweta Bhatt with Sanjiv Bhatt during an election campaign rally

Congress rewarded Sanjiv Bhatt's wife Shweta Bhatt with a Congress ticket to fight the 2012 election against Narendra Modi. Shweta Bhatt's campaign was run by a colourful coalition that included Shabnam Hashmi's Anhad, Teesta Setalvad's CJP, Togadia's VHP, Vinay Katyar's Bajrang Dal and elements of the RSS!

Glimpse into Bhatt's Past History

A batch mate of Sanjiv Bhatt who has known him from the days of their training at the Lal Bahadur Shastri Academy in Mussoorie told me that from the very start he had acquired such a notorious reputation that no self-respecting trainees wanted to engage with him. Even after he joined the service, he was shunned by the honest among officers because of his dirty deals and high handed behaviour.

This is what **former Additional Director General Police; AI Syed** who was his direct boss for some time and wrote his first "Annual Confidential Report" (ACR) had to say about him:

> "When I was Superintendent of Police in Mehsana, Sanjiv Bhatt was my supernumerary. I wrote his first ACR in which I said: 'He acts first and thinks later'. He really needed to be kept under control. Before he left Mehsana I told some officers, his actions are so wild he will be in jail someday. That was my prediction in 1990. He would open fire over petty things. For example, at one time he fired at a group of youngsters simply because they were gambling. At the time of 2002 riots, he was nowhere on the scene. He had so many cases and complaints against him including charges of abduction, extortion and unprovoked firing that he was not getting a promotion. The Vigilance Commission had recommended his suspension. But DG Pandey took pity on him. He corrected his ACRs and promoted him as DIG. He was sent as a training officer near SRP, Junagarh. But Bhatt wanted to be posted in Ahmedabad. So he decided to create a ruckus. He is known for using blackmail any time he is in trouble or denied a promotion. Had he been posted in Ahmedabad, he would have not filed false cases against Modi and his officers. He is a *sirfira* (crackpot) type. A man who is callous with his own parents is not going to be loyal to anyone else. I know him inside out *(rag-rag jaanta hoon main iski*). When his father was lying critically ill in hospital, he never went to see him once.

> When Sanjiv Bhatt was posted as SP, Rajpipla in Narmada district, the prince of Rajpipla invited him to stay for free in a part of his Palace. Even after her got transferred out of Rajpipla, he refused to vacate the palace. What is worse he had started an affair with the wife of his benefactor. That was another reason for his refusal to vacate the Palace. He is essentially a *namak haram*- never true to the salt of his benefactors. The DG Police as well as Congress leader Ahmed Patel had to intervene to get him to vacate the palace.
>
> This is the kind of life he has lived and now he pretends to be the new Mahatma Gandhi. This is all dirty politics. They are not going to get honest officers to make false complaints. Only compromised people will do so. The reason is they have their share in everything. They have gobbled up enormous loads of money in the name of helping riot victims. For that they need to keep the Muslim community in a state of siege."

A senior official told me: "Sanjiv Bhatt was always given inconsequential postings to minimise his nuisance value and harmful tendencies." Another senior bureaucrat said:

> "Bhatt has a long track record of blackmailing not just people under his charge but also his fellow officers and bosses. Every time he gets into trouble, he resorts to blackmail. In all his postings, he committed plenty of high handed acts. Most people are terrified of filing cases against police officers because they have the power and clout to ruin your life. But three serious criminal cases filed against him reached the courts. But Bhatt is a past master in getting stay orders in cases against him. That is why action could not be taken against him; despite a very unsavoury track record and even after the Vigilance Commission ordered his suspension. Since Bhatt is a Gujarati and there are very few Gujarati's in bureaucracy, Bhatt is able to play on Gujarati connections to escape punishment. This time round Supreme Court came to his rescue by giving a stay order on Bhatt's trial."

I provide relevant sections of the SIT report indicting Bhatt for his pre-2002 misdemeanours that resulted in criminal cases against him as well as his testimony against Modi. Sections marked in blue are my comments. The rest of the paras are staright from SIT report with minor editorial changes in the interest of brevity.

Criminal Complaints Against Sanjiv Bhatt

1. Atrocities on Villagers, Jam Jodhpur:

- While handling law and order situation during his posting as ASP Jamnagar in the year 1990, Sanjiv Bhatt committed atrocities on peaceful and innocent villagers belonging to a particular community at a place called Jam Jodhpur. In the beatings by police, one person was killed. The victims included a pregnant woman, two assistant engineers of Irrigation Department and one Circle Officer of the Revenue Department.

- Bhatt applied provisions of the draconian Terrorist and Disruptive Activities Act (TADA) against innocent persons and arrested 140 individuals under this Act. Due to public pressure, the Government got an inquiry conducted by a retired Judicial Officer into the incident, Bhatt was found guilty of (a) misuse of TADA (b) police atrocities

and (c) unnecessary imposition of curfew for 70 hours leading to hardship and harassment to the people.

- Criminal case of death of a person due to police atrocities in the incident was investigated by State CID (Crime) against Sanjiv Bhatt and others. After completion of investigation, the Investigating Officer sought prosecution sanction from the Government u/s 197 Cr.PC, which was declined and therefore, a closure report was filed in the competent court. However, the Court rejected the closure report on 20.12.1995 and took independent cognizance of the offence. The State Government filed a Criminal Revision Application in the Sessions Court, which was rejected.

- The case u/s 302, 323, 506(1), 114 of IPC has now been committed to the Sessions Court, Jamnagar and is presently pending with the Fast Track Court, Khambhalia for framing of charges against Sanjiv Bhatt and others. Gujarat High Court had awarded a compensation of Rs.1, 50,000/- to the victim who had died due to police atrocities in the above case.

2. Abduction, Planting Narcotics and Blackmail:

- Another criminal complaint was filed against Sanjiv Bhatt, while he was posted as SP; Banaskantha District in 1996 by Sumersingh Rajpurohit, an Advocate practicing at Pali, Rajasthan and a criminal case was registered against Bhatt & others.

- On completion of the investigation, the charge sheet was filed against Sanjiv Bhatt & others u/s 114, 120B, 323, 342, 348, 357, 365, 368, 388, 452, 201 & 482 IPC and Sec. 9, 17, 18, 29, 58 (1) & 58 (2) r/w Sec. 37 of NDPS Act in the court of Spl. Judge, NDPS Act, Jodhpur, Rajasthan.

- The allegations in brief are that the complainant Advocate was occupying a property as a tenant in Pali (Rajasthan), which was owned by a lady, who happened to be a sister of R. R. Jain, a sitting Judge of Gujarat High Court.

- As per this criminal complaint Sanjiv Bhatt and his subordinate police officers allegedly planted 1½ kg of a narcotic drug in a room of a hotel at Palanpur, Gujarat, which was falsely shown as having been occupied by Rajpurohit, though he was at Pali (Rajasthan) at that time. The Advocate was abducted at midnight on the instructions of Sanjiv Bhatt by his subordinate police officers of Gujarat police, who went from Palanpur, Gujarat to Pali (Rajasthan) to abduct him.

- Advocate Rajpurohit was brought to Palanpur, Gujarat and pressurized by Sanjiv Bhatt and his subordinate police officers to vacate the said property by showing him arrested under the Anti- Narcotics law, NDPS. While in the custody of Gujarat Police and due to police torture, Rajpurohit vacated the property and physical possession of the property was handed over to the sister of RR. Jain, Judge of Gujarat High Court.

- Sanjiv Bhatt and his subordinate police officers thereafter released Sumersingh Rajpurohit on 08-05-1996, by filing a report u/s 169 Cr.PC, in which it was mentioned that Sumersingh could not be identified in the Test Identification Parade. The case was essentially filed to blackmail Rajpurohit into vacating the property. Once the purpose was achieved, Rajpurohit was freed and the false case against him withdrawn.

- Quashing Petitions were filed in this matter by Sanjiv Bhatt and associates in Rajasthan and Gujarat High Court, but the same had been dismissed. The matter is now pending before the Supreme Court of India.

- On the complaint of Sidheshwar Puri, Secretary, Bar Association, Pali (Rajasthan), National Human Rights Commission taking a very serious view of this false case under NDPS Act vide its order dated 15-09-2010 asked Govt. of Gujarat to pay a sum of Rs. one lakh as monetary relief to Advocate Sumersingh. A charge sheet served upon him on 29-12-2010, for irregularities in police recruitment under his chairmanship as SP, Banaskantha is still pending.



Teesta Setalvad

[It is noteworthy that the Judge R.R Jain on whose behalf Bhatt carried out a series of criminal acts was demoted and suspended. He retired under suspension. But Bhatt got a stay order from the Supreme Court claiming immunity on the plea that he did all those acts in his "official capacity". Therefore, he cannot be tried for them. Bhatt has remained unscathed thus far. Thanks to the generous help provided to him by the Congress Party and well-heeled NGO of Teesta Setalvad, he has gotten stay orders in all other cases as well with Setalvad's organization alleging that "vindictive" Modi is persecuting "honest officers" like Bhatt. This despite the fact that all these criminal cases were filed against Bhatt much before Modi became CM.]

Extracts from the SIT report on Sanjiv Bhatt's allegations:

Allegation No.1: **Narendra Modi wanted Muslims to be taught a lesson.**

- Sanjiv Bhatt claimed to have attended a late night meeting of **27-02-2002** called by the Chief Minister at his residence around 23:00 hours about which he was supposedly intimated by State IB Control Room and State Police Control Room that K. Chakravarthi, the then DGP wanted him to accompany the latter in the said meeting.

- Sanjiv Bhatt claims that he accompanied K. Chakravarthi in the latter's car from DGP's office to CM's residence and attended the said meeting, which was also attended by Incharge Chief Secretary Swarna Kanta Varma, ACS (Home) Ashok Narayan, Anil Mukim, the then Addl. PS to CM, P. C. Pande, the then CP, Ahmedabad City and K. Nityanandam, the then Secretary (Home). However, he is unable to recollect, as to whether P. K. Mishra, the then Principal Secretary to CM was present in the said meeting or not. Sanjiv Bhatt has claimed that he mentioned the fact of having attended the said meeting on 27-02-2002 night in his movement diary.

- According to him, in this meeting the CM impressed upon the gathering that-*"for too long the Gujarat Police had been following the principle of balancing the actions against the Hindus and Muslims while dealing with the communal riots in Gujarat. This time the situation warranted that the Muslims be taught a lesson to ensure that such incidents do not recur ever again."*

Reasons provided by SIT to dismiss Bhatt as a liar:

- Seven senior administrative and police officers who actually attended the meeting-- namely Ashok Narayan, the then ACS (Home), P. K. Mishra, the then Principal Secretary to CM, K. Chakravarthi, the then DGP, P. C. Pande, the then CP, Ahmedabad City, Anil Mukim, the then Addl. PS to CM, K. Nityanandam, the then Secretary (Home) and Prakash S. Shah, the then Addl. Secretary (L&O), who had been earlier examined during 2009-10 have categorically stated that Sanjiv Bhatt, the then DCI (Security) was not present in the said meeting held at CM's residence on 27-02-2002 night since his portfolio as a junior officer of SP level did not qualify him to attend the meeting at CM's residence, especially when the concerned officials, O. P. Mathur, the then IGP (Admn. & Sec.) and Upadhyay, the then DCI (Communal) were available..

- All the above mentioned officers who participated in the meeting held on 27-02-2002, refuted Bhatt's charge that the Chief Minister asked his officers to let Hindu teach Muslims a lesson for Godhra violence.

- **K.Chakravarthi**, the then DGP has categorically denied having given any instructions to Sanjiv Bhatt, the then DCI (Security) to attend the aforesaid meeting. He has further stated that Sanjiv Bhatt did not accompany him to CM's residence in his car from DG's office, as he (DGP) did not visit office at that time. He has also stated that in case Raiger, Addl. DG (Intelligence) was available at Ahmedabad; he would have given instructions to State Control Room to call him. According to Chakravarthi even otherwise, O. P. Mathur, the then IGP (Admn. & Sec.) was available and Upadhyay, DCI (Communal) resumed his duties in the evening, who could have been called to attend the meeting rather than asking Sanjiv Bhatt, a junior officer of SP level to attend the said meeting.

- Call detail records of the Government mobile phone no.9825049398 allotted to Sanjiv Bhatt show that on 27-02-2002, Sanjiv Bhatt remained at Ahmedabad till about 1120 hrs and returned to Ahmedabad at 1925 hrs. He attended to various calls till 2040 hrs and thereafter, there is no record of any calls made or received by him." (SIT page no.34).The meeting at CM's residence was called at 10:30 PM after the CM returned from Godhra. The call records indicate that Bhatt did not receive any summons to attend any meeting that night

- **G.C .Raiger,** the then Addl. DG (Intelligence) has stated that there was no such system of submitting any monthly movement diary by DCI and that Sanjiv Bhatt had never submitted any such diary. Raiger denied having received any information about the meeting from either the State IB Control Room, State Control Room or even Sanjiv Bhatt, the then DCI (Security)G. C. Raiger, has also stated that Sanjiv Bhatt was never posted as Staff Officer to Addl. DG (Int.), because there is no post like that in the State IB. Further, Sanjiv Bhatt could not have been a Staff Officer to the DGP, as Late V. S. Shinde, Dy.SP was posted as Staff Officer to the DGP. Raiger also stated that once in a while Sanjiv Bhatt used to accompany him in the meetings called by the Chief Minister, but was made to wait outside with the relevant files/ information and did not join the meetings. Raiger has also stated that on 28-02-2002, he did come to know about the meeting called by the Chief Minister at his residence on 27-02-2002, but Sanjiv Bhatt did not inform him of having attended the said meeting and also about its agenda or the matters discussed in the said meeting.

- **R. B. Sreekumar** formerly ADGP Intelligence stated that at the time of filing an affidavit before Nanavati Shah Inquiry Commission, he had asked all the officers of State IB to provide him with the relevant information and documents in respect of Godhra riots but Sanjiv Bhatt did not give him any information about the said meeting. In his interview given to Hindi news channel (HNC), *Star* at 12.35 hrs on 22.04.2011 Sreekumar claims that Sanjiv Bhatt never informed him about having attended a meeting at CM's residence on 27.02.2002. According to Sreekumar, Sanjiv Bhatt was handling security portfolio and communal portfolio was being looked after by another officer. Sreekumar has also stated in the interview that it was a normal procedure that if a junior officer had attended a meeting on behalf of a senior, he was required to submit a report to his superior and that G. C. Raigar, the then ADGP (Int.) should be asked about it. As already stated above, Raigar has denied having received any information/ report from Sanjiv Bhatt in this regard.



R.B Sreekumar

[The malafide intent of Bhatt's and Kumar's allegations about Modi having asked the police to let Hindus vent anger is proven by the actual statements issued by Narendra Modi on Doordarshan at 7 pm on 28.02.2002 and in the press on the first two days are at complete variance with Bhatt's allegation.]

> *"I share the grief of the people of Gujarat but the solution does not lie in non-peace, non-restraint or venting out of anger."…. "I pray with folded hands that this is the time for maintaining peace, the need is to control the nerves."….*
>
> *"Today, this the time for maintaining peace. It is necessary to maintain self-control. We are determined to punish those who are guilty and they will not be spared."*
>
> *"Will you not help to save Gujarat? Come and help Government. Government is requesting for help. Government is seeking your help to punish the guilty through law. Amidst your anger I pray you to display the unique characteristic of Gujarat-of showing restraint and maintaining peace during adversities. Come, let us serve Gujarat through peace and self-control, let us strengthen the arms of law"…..*
>
> *"The entire country shares our grief but the responsibility to maintain peace and restraint is ours. I understand your anger, your pain but in the interest of Gujarat, to see that its future doesn't get ruined, to ensure that Gujarat doesn't get a blot on its face, it is necessary that five crore Gujarati keep calm and exercise self-restraint."……"It is our responsibility that the lives of innocent are not put at stake."…..*
>
> *"Ver ver this ham tu nathi" (Hatred is never won over by hatred)……*
>
> *"My fervent appeal to the people of the state is that the time has come to strengthen the hands of law and maintain peace. I pray to the people that they will help in bringing those involved in violence to book."(Ahmedabad / dt.28/2/2002)*

- All the participants of the meeting held on 27-02-2002, namely Swarna Kanta Varma, the then Chief Secretary in-charge, Ashok Narayan, the then ACS (Home), K. Chakravarthi, the then Director General Police, Anil Mukim, the then Addl. Private Secretary to Chief Minister, P. C. Pande, the then Commissioner Police, Ahmedabad City and K. Nityanandam, the then Secretary (Home) denied any such words uttered by the Chief Minister.

- All those who attended the meeting stated that the Chief Minister expressed the apprehension that the Godhra incident was very serious and bound to affect the public at large, as a result of which there could be repercussions and therefore, adequate *bandobast* was needed to avoid any untoward incident.

- Sanjiv Bhatt tutored witnesses to support his claim of attending the meeting called by the CM at his residence on 27-02-2003. Sanjiv Bhatt's first witness K.D Panth denied that he followed Sanjiv Bhatt to the meeting and Bhatt's second witness Shailesh Raval sent a written complaint to the SIT fearing reprisal from Sanjiv Bhatt for his unwillingness to make false statements to the SIT. The only witness Tarachand Yadav, who supported Sanjiv Bhatt's claim, had been dismissed from service on charge of getting employment through false and forged certificates. Therefore SIT concluded that his testimony cannot be relied on since Tarachand could well be settling scores with the Government for his dismissal. (More details regarding these witnesses are given below).
- Another prime witness produced by Teesta Setalvad was **R. B. Sreekumar**, the then Addl. DG (Int.). He had claimed that K. Chakravarthi, the then DGP had informed him on 28-02-2002 that the Chief Minister had allegedly said in the meeting that, " *Komi Hullado Ma Tame Police Barabari Korocho Tame Be Hindu Ne Pakdo To Tame Be Musalmano Ne Pan Pakdocho. Have Em Nahi Chale Hinduono Gusso Uttarwa Do*." (In communal riots police takes action against Hindus and Muslims on one to one basis. This will not do now- allow Hindus to give vent to their anger). Chakravarthi has denied that he held any such talks with R. B. Sreekumar. Even otherwise, the version of R. B. Sreekumar becomes hearsay and inadmissible in view of denial of K. Chakravarthi.

- SIT concludes that "Assuming for the time being that the Chief Minister did make some utterances, there is a material difference between the two versions in as much as Sanjiv Bhatt has tried to improve his version by way of addition that this time the situation warranted, that the Muslims be taught a lesson to ensure that such incidents do not recur ever again. Since the version of R.B. Sreekumar is on hearsay basis and the testimony of Sanjiv Bhatt does not have any corroboration, no reliance can be placed on either of them.

Allegation No.2: CM was reluctant to call in the army on 28th February morning

Sanjiv Bhatt has claimed to have attended a second meeting at CM's residence on **28-02-2002** at about 1030 hrs along with G. C. Raiger, the then Addl. DG (Int.), in which the deployment of manpower during the Gujarat bandh was discussed to monitor the developing situation and that this meeting was also attended by K. Chakravarthi, the then DGP, Anil Mukim, the then Addl. PS to CM, Late Ashok Bhatt, the then Health Minister and I. K. Jadeja, the then Urban Development Minister.

- Bhatt has further stated that on the conclusion of the said meeting, the Chief Minister had instructed the DGP that Late Ashok Bhatt and I. K. Jadeja would be assisting the police in monitoring the situation and that all necessary assistance must be rendered to the ministers. Sanjiv Bhatt has also stated that CM had not specifically instructed as to how the ministers would assist the police.
- Further, according to Sanjiv Bhatt, the issue relating to the requisitioning of the Army was also discussed on the basis of the suggestions given by DGP and Addl. DG (Int.), but the Chief Minister seemed to be reluctant and was of the view that they should wait and watch, as to how the situation developed and not rush for the requisitioning of Army.

[This charge is also belied by the speed with which Modi government deployed the army to quell the riots. The first death due to rioting is reported at 12 noon on 28th February. By 2 pm a fax message was sent to the Home Minister for deployment of the Army. The very same evening the Defence Minister arrived in Ahmedabad and met the CM at 10:30 PM. By the next morning 11 am (that is within 20 hours of the first riot related death, the army had been fully deployed under the personal supervision of the Defence Minister. The State government provided full logistical support including 32 Executive Magistrates, 131 vehicles, 18 mobiles phones, as well as liaison and escort officers for the army.]

- Sanjiv Bhatt has claimed to have received information about a mob attack on Gulberg Society around 1130 hrs on **28-02-2002,** and he had deputed Police Inspector Bharwad of Ahmedabad Regional Office located in Meghaninagar to go to Gulberg Society, to report on the developing situation and inform the State IB. According to Bhatt, he had conveyed these developments to DGP and Addl. DG (Int.) personally.

- In view of the fact that Late Ehsan Jafri, Ex-MP was residing in the Gulberg Society, Bhatt claimed to have telephonically conveyed the details about the developing situation to the Chief Minister directly. However, he does not recollect, as to whether he had spoken to the Chief Minister over landline or over the mobile phone of O. P. Singh, PA to CM.

- Sanjiv Bhatt has claimed to have attended another meeting at CM's residence on **28.02.2002 afternoon** for the assessment of the on-going situation, which was attended to by ACS (Home), DGP, Addl. DG (Int.), and Secretary (Home), in which the Chief Minister had agreed to send a formal requisition to Govt. of India for deployment of Army. He has claimed that he briefed the Chief Minister about the on-going developments at Gulberg Society and also about the threat to the life of Late Ehsan Jafri and other residents of the Gulberg Society.

- Bhatt went so far as to claim that the Chief Minister took him aside after the meeting and informed him that he had learnt that Late Ehsan Jafri had opened fire on Hindus during earlier communal riots. According to Sanjiv Bhatt, the Chief Minister asked him to dig out all the facts pertaining to earlier instances, wherein Late Ehsan Jafri had opened fire during the past communal riots. Bhatt claimed that he conveyed these facts to G. C. Raiger, the then Addl. DG (Int.).

- However, Bhatt stated that he could not check/ collect this information as he remained busy with certain urgent matters connected with the riots. He denied that he submitted any report in this regard to his department and claimed that he had attended this meeting as a Staff Officer to the DGP or Addl. DG (Int.).

Reasons provided by SIT to dismiss Bhatt as a liar:

- **According to R.B Sreekumar,** formerly ADGP Intelligence on 28-02-2002, Sanjiv Bhatt remained at Ahmedabad till 1057 hrs and then returned to Ahmedabad at 2056 hrs. The claim of Sanjiv Bhatt that he had attended a meeting at CM's residence on 28-02-2002, at 1030 hrs is therefore proved to be false and incorrect. CM's residence is at Gandhinagar, more than 25 Kilometres from Ahmedabad, and normally takes 30 to 45 minutes to reach there.

- Sanjiv Bhatt's further claim that he had seen Late Ashok Bhatt and I. K. Jadeja, the then Ministers in the DGP's office at about 1100 hrs on 28-02-2002, is also belied from the call detail records in as much as the location of the mobile phone of Sanjiv Bhatt was at Prerna Tower, Vastrapur–1, Ahmedabad, which happened to be at a distance of 1.5 Kms approximately from his residence and Bhatt could not have reached Police Bhavan, Gandhinagar before 1130 hrs by any stretch of imagination. Moreover, his contention is also proved to be false from the statement of Ashok Narayan, the then ACS (Home), who denied that the two ministers were present in the said meeting. His subsequent conduct of getting his statement corroborated by way of introduction of two police personnel would also go to show that he is trying to introduce himself into the meeting.

- C. J. Bharwad the then PI, State IB, and Ahmedabad Region who was actually at ground zero has stated that on 28-02-2002, he had gone to Gulberg Society, Meghaninagar after getting information about the riotous mobs and passed on the various information reports collected by him to State IB Control Room. He has further stated that around 1215 hrs on 28-02-2002, he had sent a message to State IB Control Room that since Muslims reside in Gulberg Society in Meghaninagar area, a strict watch should be kept there. Bharwad contradicted the statement made by Sanjiv Bhatt and has denied to have any telephonic discussions with him about the situation in Gulberg Society in as much as the subject concerned the "Communal" Desk of IB being looked after by P. B.Upadhyay, the then DCI (Communal).He has further stated to have passed on a message at 1450 hrs on 28-02-2002, that a mob of 3000 rioters had surrounded Gulberg Society. On 28-02-2002 itself, he had passed on another message at 1700 hrs that a mob of 5000 rioters had surrounded and set fire to the Gulberg Society, in which several persons including Late Ehsan Jafri, Ex-MP had been burnt alive and that police deployment was required.

- The version of Bharwad belies the testimony of Sanjiv Bhatt, the then DCI (Security), who has claimed that he had given directions to Bharwad to go to the Gulberg Society and give the latest updates and that Bharwad was in constant touch with him.

- Sanjiv Bhatt has claimed that in view of the threat of life to Ehsaan Jafri he had telephonically conveyed to the CM about the developing situation in Gulberg society. However, the SIT concluded that – "Notably there is no practice in Gujarat of SP level officers speaking directly to CM over phone"

- Most important of all, the SIT investigations led it to conclude that: "Sanjiv Bhatt is a tainted witness and therefore, cannot be relied upon keeping in view his background in the police department as he was involved in criminal cases of serious nature and departmental inquiries are also in progress against him. [page 179]"

[While these investigations were still on, SIT was provided proof of Bhatt's regular dealings with the Congress Party leaders and its allied NGOs and journalists. In one such e-mail, Bhatt asked Gujarat Leader of Opposition Shaktisinh Gohil that he was "eagerly awaiting both the packages" and that he was "still awaiting the Blackberry" (See *The Indian Express* report dated July 31, 2011). It is widely alleged that "Blackberry" was a euphemism for the payment Bhatt used to receive from Gohil.]

Allegation No 3: Sanjiv Bhatt claimed that the CM decided to bring the dead bodies of victims of Godhra train fire incident to Ahmedabad and parade them in Ahmedabad City with a view to provoking riots against Muslims.

- Bhatt has also stated that P. C. Pande, the then CP, Ahmedabad City had strongly opposed the Govt. decision for the transportation of dead bodies of Godhra victims to Ahmedabad as the same was likely to lead to serious communal riots in Ahmedabad City and these views were supported by K. Chakravarthi, the then DGP.

- According to Sanjiv Bhatt, Chakravarthi had conveyed to CM that the available resources of Gujarat Police were over stretched to cope with the Law & Order situation that was likely to arise in the wake of bandh call given by the VHP on the next day and had expressed his inability to supplement the manpower resources of CP, Ahmedabad City.

- Sanjiv Bhatt has further claimed that he expressed his opinion against the decision of BJP to support the bandh call given by VHP and also the decision of the administration to bring the dead bodies of the victims from Godhra to Ahmedabad City. He claims to have expressed a view that the taking out of the funeral procession of the victims in the respective areas would lead to major communal violence in Ahmedabad City and other communally sensitive areas across the State

- Bhatt further stated that DGP and CP, Ahmedabad City tried to impress upon the Chief Minister that the bandh call given by VHP on 28-02-2002, which was supported by the ruling party BJP was not a good idea, as far as the Law & Order situation of the State was concerned but the Chief Minister did not seem to be convinced by their arguments and stated that the incident like burning of kar-sevaks at Godhra could not be tolerated.

Reasons provided by SIT to dismiss Bhatt's charges as false and malafide:

- All the participants of the said meeting have categorically stated that Sanjiv Bhatt did not attend the said meeting neither his seniority nor his job profile narrated his presence in a Chief Ministerial meeting. Therefore there was no question of his opposing the bringing of dead bodies.

- K. Chakravarthi, has stated that he had gone to studios of Doordarshan, Ahmedabad City on 27-02-2002 late in the evening, for the telecast of an appeal to the general public to maintain communal harmony and peace, when he received a message from State Control Room that CM had called for a meeting at his residence at Gandhinagar around 22:30 hrs. He has stated that he straight away went to CM's residence at Gandhinagar and reached there a little earlier and waited as CM had not arrived from Godhra by that time.

- The bodies of Godhra victims were brought in the dead of night under police escort because the relatives of the dead lived in or around Ahmedabad. They were taken to Sola hospital on the outskirts of Ahmedabad, instead of the Civil Hospital in the city centre in order to avoid commotion. These bodies reached Ahmedabad a little before 4 a.m.

- P.C Pande, the then CP, Ahmedabad City has stated that the sum and substance of the meeting was that the dead bodies were being brought to Ahmedabad City with a view to facilitate the relatives of the deceased to identify and claim the same. He also stated that on 27-02-2002, he did not know that the bandh was supported by the BJP and came to know about it only on 28-02-2002, through the newspaper reports.

- K. Chakravarthi, the then DGP has stated that the decision of the Govt. to bring the dead bodies of Godhra victims at Ahmedabad City was not opposed by anyone on the ground that a large number of victims belonged to Ahmedabad and nearby places, which were easily approachable from Ahmedabad.

- In response to Sanjiv Bhatt's contention that both DGP and CP, Ahmedabad City had tried to impress upon the Chief Minister that the bandh call given by the VHP on 28-02-2002, which was supported by the ruling party BJP was not a good idea as far as the Law & Order situation of the State was concerned and that the Chief Minister was not convinced by their arguments. K. Chakravarthi, the then DGP has stated that in the night of 27-02-2002, he did not know that the bandh call given by the VHP was supported by the ruling party BJP and as such there was no question of any such opposition by him.

The following facts also debunk Bhatt's charge that bodies of Godhra victims were brought to Ahmedabad with the purpose of provoking communal violence. Civil Surgeon Sola Hospital certified that dead bodies of 54 persons were received in Sola hospital around 3.30 a.m on 28th. Since the post mortem had already been conducted at Godhra Hosipital, no post mortem was conducted on 28th morning.

According to a senior official who was involved in post Godhra management:

- The 54 bodies had to be brought to Ahmedabad because the families of these persons lived in and around Ahmedabad city. Bodies were brought in a vehicle escorted by police personnel who were replaced thrice during the journey of 130 km.
- If the families off all these 54 had gone to Godhra to claim the dead bodies, there was likelihood of more tension and clashes since Godhra has a history of being volatile with a communally charged Muslim population. After the burning of Sabarmati Express coaches large numbers of people kept pouring in to enquire about the injured and dead. If the relatives of all the 54 persons came to Godhra in a surcharged atmospher, it could have created a serious problem.
- Given the tense situation in the state, curfew had already been imposed in certain areas of Gujarat. This would have created added trouble for these families if they had to travel to Godhra to claim dead bodies.
- The decision to bring the dead bodies of the people of Ahmedabad region was not taken by CM alone as alleged by Bhatt and Shreekumar. It was taken unanimously by all officials present at Godhra in consultation with Godhra District Magistrate, Jayanti Ravi who in her deposition before the SIT strongly denied the charge by Shreekumar that she was opposed to sending of those bodies to Ahmadabad.
- Contrary to allegations by Teesta's organisation, no big mob had collected at 4 am outside Sola hospital However, several state government officials were present with their support staff to receive the dead bodies
- 35 bodies were handed over to relatives who came and identified their family members. Relatives and security forces accomapnied the dead bodies to crematorium. In some places several hundred onlookers gathered but there was no untoward incident because of transportation and cremation of these bodies in Ahmedabad.
- It is a general practice in Gujarat to hand over unclaimed, unknown bodies to local NGOs or social organizations. Since there were no family claimants, 19 bodies had to be handed over to VHP for the last rites since they were part of the VHP contingent on the ill fated Sabarmati Express. A tehsildar accompanied the dead bodies along with police escort. These 19 unclaimed bodies were given mass cremation behind Sola Hospital at Gota Gaon in the presence of RMO and other officers of Sola Hospital. Municipal Councillor Jagdish Patel, was also present during this cremation along with a contingent of police.

Bhatt's Attempts at Marshalling False Witnesses:

- Sanjiv Bhatt, on his own and without being summoned came to the office of the SIT on 25-03-2011, i.e. two days after the recording of his statement, along with one constable named K. D. Panth and requested that his (Bhatt's) further statement should be recorded by SIT. In his further statement, Sanjiv Bhatt mentioned the names of two Assistant Intelligence Officers (AIOs) namely, Shailesh Raval and K. D. Panth, who used to accompany him to most of the meetings.

- He further stated that subsequent to the recording of his statement by SIT, he has now been able to recollect that K. D. Panth had followed him to CM's residence with the files in his staff car from DGP's office, whereas he had accompanied DGP K. Chakravarthi in the latter's staff car. He added that K. D. Panth returned with him in his car to Police Bhavan and remained in the office till late in the night and attended to urgent official work.

- Sanjiv Bhatt told SIT that in 2002 Tarachand Yadav was his driver who is presently attached to V. K. Mall, Joint Director, Gujarat Police Academy, Karai, Gandhinagar. Sanjiv Bhatt also disclosed that as DCI (Security), he was using the Govt. mobile phone no. 98250 49398.

- After Sanjiv Bhatt's further statement was recorded at his own request on 25-03-2011, he insisted that K. D. Panth, who was accompanying him and was waiting outside, should also be examined in his presence.

- The SIT team found this insistence an indication of Bhatt's dubious intent and refused to succumb to this pressure. Bhatt was informed that K. D. Panth would be called on a date convenient to the IO and examined independently and not in Bhatt's presence. Accordingly, Panth was informed on 04-04-2011, to attend SIT office on 05-04-2011, for his examination.

K. D. Panth in his examination has stated that:

- He was on casual leave on 27-02-2002 and has denied that he followed Sanjiv Bhatt, the then DCI (Security) to CM's residence on 27-02-2002 night.

- However, he has stated that Sanjiv Bhatt had called him to his residence on 24-03-2011 night and informed that he was going to make a statement before the SIT that he (K. D. Panth) had gone to attend a meeting at CM's residence on 27-02-2002 night, and that he had been called at State IB office and to be ready with the files for the said meeting. Sanjiv Bhatt further informed Panth that he should accompany him to SIT office on 25-03-2011, and make a statement about the said meeting.

- During his examination, Panth further stated that Sanjiv Bhatt called him at his residence on 04-04-2011 at 2030 hrs, where he told him about the statement Bhatt had made before the SIT naming Panth as the man who accompanied him to the CM's residence. Sanjiv Bhatt asked Panth to make a statement accordingly.

- This conduct of Sanjiv Bhatt in arranging, prompting and controlling the witness to corroborate his statement is highly suspicious and undesirable.

Panth had filed a criminal case of intimidation against Bhatt in 2010. As soon as the Gujarat Government began investigations, Bhatt managed to get a stay order from the Supreme Court. So the case is at a dead end.

Tushar Mehta: Additional Advocate General of Gujarat also filed a criminal complaint under the Information Technology Act against Sanjiv Bhatt for hacking his e-mail account and stealing his documents in 2010. Once again, Bhatt got s stay order from the Supreme Court. So this too can't proceed

Shailesh Raval:

- Sanjiv Bhatt also contacted Shailesh Raval on 28-03-2011/ 29-03-2011, over mobile phone no. 9825688223 of N. J. Chauhan, a clerk in CM's Security and informed him that he would be called by SIT for his examination.

- Sanjiv Bhatt also asked Shailesh Raval that he had worked with him in Security Branch for a long time and was aware that he (Sanjiv Bhatt) used to attend meetings, to which Raval reacted by saying that he had accompanied him in Border Security Nodal Committee meetings, which used to deal with the Border Security only. Raval told Sanjiv Bhatt that he never worked in the Communal Branch and was not aware of anything about it. Sanjiv Bhatt thereafter disconnected the phone.

- Shailesh Raval, PI later sent a complaint in writing to the Chairman, SIT that he feared reprisal from Sanjiv Bhatt as he had refused to support the false claims of Bhatt. This is yet another attempt on the part of Sanjiv Bhatt to tutor a witness to depose in a particular manner so as to support the statement made by him, which further makes his claim of having attended the meeting at CM's residence on 27-02-2002, false.

Tarachand B. Yadav, driver constable in SRP Group-XII:

- He had been dismissed from service on the charge of getting employment in Gujarat Police on the basis of false and forged certificate. Yadav stated that he used to drive the staff car allotted to Sanjiv Bhatt, the then DCI (Security) during February-March, 2002. However, he does not remember the registration number of the staff car.

- Yadav could not remember the name of Personal Security Officer of Sanjiv Bhatt, the then DCI (Security). However, he has stated that he recollects that Sanjiv Bhatt, the then DCI (Security) had gone to CM's residence in a three star car with either DGP or some ADGP from Police Bhavan and that he had followed him in his staff car, in which K.D. Panth, the then AIO, State IB sat with some files.

- He has also stated that Sanjiv Bhatt, the then DCI (Security) returned after about 25 minutes and he took him to Police Bhavan, where he worked till midnight i.e. 0030 hrs and then drove him back to his residence at Ahmedabad. Yadav could not say as to whether Sanjiv Bhatt, the then DCI (Security) accompanied DGP or some ADGP rank officer.

- He has denied knowledge, as to whether Sanjiv Bhatt went inside CM's office to attend the meeting or not, as he was waiting outside.

- Yadav has also stated that on 28-02-2002, Sanjiv Bhatt reached Police Bhavan at about 0900 hrs and worked in his office and did not go out to attend any meeting at CM's house. He added that on 28-02-2002, he started from Gandhinagar in the evening and dropped Sanjiv Bhatt at his residence at about 1900 hrs. However, he could not recollect the details of the various events of 1st, 2nd& 3rd March, 2002 due to passage of time.

- **The version of Tarachand B. Yadav is unreliable due to his background.** He has been dismissed from service due to his own misconduct.

- Moreover, he has admitted to have gone to the residence of Sanjiv Bhatt, the then DCI (Security) on 17-04-2011 afternoon, for getting a briefing before making a statement in SIT. The call details of his mobile phone clearly show that he was in touch with Sanjiv Bhatt, the then DCI (Security) during April, 2011.

- Even when he was being interrogated in SIT office, Sanjiv Bhatt was repeatedly contacting him over his mobile phone, to which he was not allowed to respond.

- In addition, the version of Tarachand Yadav about the movements of Sanjiv Bhatt on 28-02-2002, are proved to be false in as much as Sanjiv Bhatt did not come to Gandhinagar at 0900 hrs, as the call detail records of his official mobile phone show his location at Ahmedabad City till 1057 hrs.

- Significantly, K. D. Panth, the then AIO, State IB, in his examination by SIT has denied that he (Panth) had accompanied Sanjiv Bhatt to CM's residence on 27-02-2002.

- Tarachand Yadav further contradicts the version of Sanjiv Bhatt, who claims to have attended a meeting on 28-02-2002 at 1030 hrs, at CM's residence.

- The overall impression left after his examination is that Sanjiv Bhatt has introduced him as a false witness with a view to corroborate his own version about having attended a meeting at CM's residence on 27-02-2002 night, whereas in fact Tarachand Yadav does not recollect anything about the events of 27-02-2002 onwards.

- Moreover, he is a motivated witness, who has got an axe to grind against the Govt. on account of his dismissal from service. In view of this no reliance can be placed upon his evidence.

- During further investigation, PSOs of the then DGP K. Chakravarthi were examined. PSI Dilip Jivaram Ahir and Head Constable Dharampal Jagaram Yadav stated that they had never seen Sanjiv Bhatt sitting in the vehicle along with DGP.

Hatching Conspiracies with Congress leaders, NGO's and journalists: On the Conduct of Sanjiv Bhatt during the SIT Investigation and the Supreme Court Case

A set of emails exchanged between Sanjiv Bhatt, DIG, Gujarat Police and certain individuals during April & May 2011 were provided to the SIT team by Gujarat govt. These emails show that during the course of an inquiry instituted against Sanjiv Bhatt, IPS by DG (Civil Defence), Gujarat regarding misuse of official resources, some revelations have been made having direct bearing on the cases being monitored by SIT.

After scrutinizing the emails, SIT records the following salient facts (page no. 312-315):

- That top Congress Leaders of Gujarat namely Shaktisinh Gohil, Leader of Opposition in Gujarat Legislative Assembly and Arjun Modhvadia, President of Gujarat Pradesh Congress Committee are in constant touch with Sanjiv Bhatt, DIG. They are providing him "packages", certain materials and also legal assistance. Further, on 28-04-2011, Sanjiv Bhatt exchanged mails with Shaktisinh Gohil and the former gave points for arguments in Supreme Court matter, allegations to be made against the members of SIT and to establish that the burning of a coach of Sabarmati Express at Godhra Railway Station was not a conspiracy. From the emails, it appears that Sanjiv Bhatt was holding personal meetings with senior Congress leaders as well. In one of the emails, he even mentions that he was "under exploited" by the lawyer representing the Congress before Nanavati Commission of Inquiry.

- That Sanjiv Bhatt had been persuading various NGOs and other interested groups to influence the Amicus Curiae and the Supreme Court of India by using "Media Card" and "Pressure Groups".

- Sanjiv Bhatt had been exchanging emails with one Nasir Chippa and in the email dated 11-05-2011 Bhatt has stated that he (Nasir Chippa) should try to mobilize support/ pressure-groups in Delhi to influence Amicus Curiae Raju Ramchandran in a very subtle manner. In another email dated 18-05-2011, Sanjiv Bhatt had requested Nasir Chippa to influence Home Minister P. Chidambaram through pressure groups in the U.S. It is believed that Nasir Chippa has strong U.S. connections and his family stays there.

- That Sanjiv Bhatt arranged an appeal from M. Hasan Jowher, who runs a so called NGO titled SPRAT (Society for Promoting Rationality) to Amicus Curiae on 13-05-2011, to call Sanjiv Bhatt, IPS, Rajnish Rai, IPS, Satish Verma, IPS, Kuldeep Sharma, IPS and Rahul Sharma, IPS (all police officers of Gujarat) to tender their version of the Gujarat story. It may be mentioned here that the draft for the said appeal was sent by Sanjiv Bhatt himself to Jowher. Further, a copy of this mail was circulated by Sanjiv Bhatt to Shabnam Hasmi, Teesta Setalwad, Himanshu Thakker, journalist, Leo Saldana, Journalist and Nasir Chippa to encourage the prominent persons/organisation to write to Amicus Curiae on similar lines so as to pressurize him.

- In emails exchanged on June 1, 2011 between Sanjiv Bhatt and M. H. Jowher, it was proposed that a PIL may be filed through a lawyer named K. Vakharia (a Sr. Advocate and Chairman of Legal Cell of Congress Party in Gujarat) in the Gujarat High Court for providing security to Sanjiv Bhatt. It was also proposed that another complaint may be filed with the Commissioner of Police, Ahmedabad City against Narendra Modi & others for his alleged involvement in 2002 riots which would be taken to appropriate judicial forums in due course.

- That Teesta Setalwad, her lawyer Mihir Desai and Manoj Mitta, senior editor in *The Times of India* were in constant touch with Sanjiv Bhatt, IPS and were instrumental in arranging/ drafting of the affidavit for filing the same in Supreme Court. Vide email dated 10-04-2011; Bhatt solicited "Co-ordinates" from Teesta Setalwad, who had also arranged for a meeting with her lawyer Mihir Desai at Ellisbridge Gymkhana, Ahmedabad. Sanjiv Bhatt sent the first draft of his proposed affidavit to Manoj Mitta on 13-04-2011, after meeting Mihir Desai, Advocate and invited his suggestions. Manoj Mitta advised Sanjiv Bhatt to incorporate a few more paragraphs drafted by him which were incorporated by Sanjiv Bhatt in his final affidavit sent to Supreme Court of India as suggested by Mitta.



Manoj Mitta, senior editor, *The Times of India*

- That Sanjiv Bhatt was instrumental in arranging an affidavit of one Shubhranshu Chaudhary, a journalist, to corroborate his claim that he had gone to attend a meeting called by the Chief Minister at his residence in the night of 27-02-2002. Significantly, Bhatt had sent his mobile phone details of 27-02-2002 to Shubhranshu Chaudhary and had also suggested the probable timings of his meeting to Shubhranshu Chaudhary on 15-05-2011. Simultaneously, these details were sent to Teesta Setalwad on 16-05-2011, for drafting the document, presumably the affidavit to be filed by Shubhranshu Chaudhary. Sanjiv Bhatt sent an email to Shubhranshu Chaudhary that the said affidavit could be leaked out to the print media which would force the Amicus Curiae and Supreme Court to take notice of the same. Sanjiv Bhatt also sent another email to Shubhranshu Chaudhary, in which he has stated that they should play the "Media Trick" so that affidavit is taken seriously by Amicus Curiae and the Supreme Court.

- That Sanjiv Bhatt had been exchanging emails with one Leo Saldana, a Narmada Bachao Andolan activist, with a view to mobilize public opinion in their favour. On 01-05-2011 Sanjiv Bhatt had sent an email to the latter to the effect that what they needed to do at this stage was to create a situation, where it would be difficult for three judges Supreme Court Bench to disregard the "shortcomings of SIT under stewardship of Mr. Raghavan" and that the pressure groups and opinion makers in Delhi could be of great help in forwarding the cause. He has further stated in the mail that he was hopeful that things would start turning around from the next hearing, if proper pressure was maintained at the national level.



K.S Subramanian, retired IPS officer who worked in close collaboration with Teesta Setalvad

- That Sanjiv Bhatt was trying to contact K. S. Subramanian, a retired IPS officer, through Nasir Chippa to make an affidavit supporting his stand with a view to convince the Amicus Curiae and through him the Supreme Court of India that K. Chakravarthi, former DGP of Gujarat, was a liar.

- That Sanjiv Bhatt had been taking advice of Teesta Setalwad in connection with his evidence before Nanavati Commission of Inquiry. He had also been in touch with various journalists, NGOs and had been forwarding his representations, applications and other documents through email, whereas on the other side he had been claiming privilege that being an Intelligence Officer he was duty bound not to disclose anything unless, he was legally compelled to do so**.**

- That Sanjiv Bhatt had been maintaining a close contact with Rahul Sharma, DIG of Gujarat Police and had been getting his mobile phone calls analysed with a view to ascertain his own movements of 27-02-2002. This shows that Bhatt does not recollect his movements on that day. He has also been trying to ascertain the movements of Late Haren Pandya, the then Minister of State for Revenue on 27-02-2002, with a view to introduce him as a participant of the meeting of 27-02-2002 held at CM's residence, but could not do so, as Rahul Sharma had informed him after the analysis that there was absolutely no question of Late Haren Pandya being at Gandhinagar on 27-02-2002 night.

- From the study of emails, it appears that certain vested interests including Sanjiv Bhatt, different NGOs and some political leaders were trying to use Supreme Court/ SIT as a forum for settling their scores**.** This would also go to show that Sanjiv Bhatt had been colluding with the persons with vested interests to see that some kind of charge-sheet is filed against Narendra Modi and others.

It is noteworthy that the Supreme Court judges who appointed the SIT were far from being soft on Modi. The Supreme Court handpicked officers reputed to be upright professionals to be part of SIT. And yet when Teesta & Co failed to get the desired strictures against Modi, they began to cast aspersions on the credibility of SIT officers who by all accounts functioned under great pressure because of constant attacks by Teesta. The latest salvo fired by Teesta: Jafri and she have asked the Supreme Court to junk the SIT report, disband the SIT and start fresh investigations all over again thrrough a higher body. This case is currently being heard in the courts. The moment any case starts going against Teesta and Co, she either gets a stay order from the Supreme Court or asks for fresh investigations. (More of this later). It seems she won't be satisfied till her own team can directly author the report to hang Modi.

7

When Congress State Govts Refused Additional Forces to Quell Gujarat riots



During a hearing of a Gujarat riots case, the Supreme Court chastised the Gujarat government for being modern day Neros. However, this adjective has stuck to Modi's name. Compared to many other epithets used against Modi, this is actually the least vicious.

There is no denying that due to incompetence or complicity or both--the police failed in many instances to control the violence that shook Gujarat for three days starting February 28, 2002. There is also no denying that some of the administrators proved incompetent in handling the situation and a good number of politicians were involved in instigating mob violence. Some even led murderous mobs. But there are many instances of the police and army having saved Muslims whose homes or settlements were surrounded by murderous mobs. But anti Modi brigades almost never mention those instances just as they never mention the number of Hindus killed in police firing while saving Muslims or the instances of retaliatory violence by Muslims.

One of the biggest disservices done by the self appointed guardians of Muslim community is that they exaggerated, overstated and distorted the events of 2002 beyond recognition solely with a view to serving partisan interests of the Congress party. Their aim has never been to ensure punishment of those guilty of murders and mayhem during the 2002 riots. Their single minded focus has been on targeting Narendra Modi. In the process, they have actually weakened their case by introducing endless lies to their narrative to project Modi as the man who personally ordered and directed mob violence against Muslims.

This campaign has been sustained through propping up dubious witnesses whose testimonies have been rejected by the Supreme Court appointed Special Investigative Team (SIT) as being false and motivated. And yet it is sustained with the help of pliable media houses and intellectuals acting as the foot soldiers of the Congress Party.

In Modinama 2 I had presented details of what Modi said and did following the Godhra massacre on February 27, 2002. All of that clearly indicated that despite being new to administration (he had taken charge as CM only 3½ months ago of a state whose machinery of governance was communally polarized due to frequent riots most of which occurred under Congress regimes), Modi took all necessary steps to quell the riots even though his administration and even his political colleagues either failed him ,or played mischief at many places. This included getting army units airlifted and deployed on the ground within 20 hours of the outbreak of violence.

A chief minister who has orchestrated riots is not likely to have the army brought in with such speed. Similarly, a chief minister who wants a particular community to be massacred is not likely to make desperate pleas for additional police force from neighbouring states.

I reproduce below the exact text of the fax message sent by the Government of Gujarat to the Home Ministry, New Delhi on 27/02/2002, the day of Godhra train massacre requesting additional companies of paramilitary forces for law and order duties.

MOST IMMEDIATE FAX MESSAGE

TO: HOME, NEW DELHI (KIND Atten, Shri O.P.Arya, Jt secretary, M.H.A.)
INFO: POLICE, GANDHINAGAR
NO: SB.V/ISS/102002/173

DATE: - 27/02/2002

SUBSEQUENT TO THE INCIDENT OF ARSON TO A RAILWAY COACH OF SABARMATI EXPRESS NEAR GODHRA RAILWAY STATION TODAY MORNING, SPORADIC INCIDENTS OF VIOLENCE IN THE FORM OF STABBING AND ARSON HAVE BEEN REPORTED FROM AHMEDABAD, BARODA AND ANAND TOWNS BESIDES GODHRA TOWN (.) THE VISHWA HINDU PARISHAD HAS ALSO GIVEN A CALL FOR GUJARAT BANDH ON 28.2.2002 (.) THE EXISTING RESOURCES OF STATE RESERVE POLICE FORCE HAVE ALREADY BEEN DEPLOYED FULLY (.) IN ORDER TO COPE UP WITH THE EMERGING LAW AND ORDER SITUATION DURING THE GUJARAT BANDH CALL, TEN COYS OF CENTRAL PARA MILITARY FORCES MAY PLEASE BE PROVIDED IMMEDIATELY EVEN BY AIRLIFT FOR LAW AND ORDER DUTIES IN ADDITION TO THE FOUR COYS OF R.A.F. (.) ALREADY REQUESTED UNDER FAX OF EVEN NUMBER AND DATE (.)

(J.R. RAJPUT), Under Secretary to Government, Home Department (Spl.)

The following is the text of the letter sent by the Gujarat Government to the Chief Secretary of Madhya Pradesh, Chief Secretary, Government of Maharashtra and Chief Secretary, Government of Rajasthan on 1st March 2002, the second day of the 2002 riot, requesting 10 companies of armed police from each of these states in helping Gujarat Government in "handling law and order situation". At that time all three states had Congress party Chief Ministers—Digvijay Singh in Madhya Pradesh, Ashok Gehlot in Rajasthan and Vilasrao Deshmukh in Maharashtra. All three chief ministers refused to send additional forces.

GOVERNMENT OF GUJARAT

No. SB.V/ISS/102002/173
Home Department (Spl.)
Sachivalaya, Gandhinagar

Date:- 1/3/2002

To:

The Chief Secretary to the Govt. of Madhya Pradesh,
Bhopal. (Madhya Pradesh).

Sir,

As you are aware the ghastly incident of burning down of 58 passengers in the Sabarmati Express on 27th Feb., 2002 has had serious fall out on the law and order situation in Gujarat. Widespread incidents of arsoning, looting, murder and other violence have been reported from most part of the State since yesterday.

The State Government has been trying its best to utilise all its available resources and has also requested Government of India to spare additional manpower for maintaining of law and order. However, Government of India has not in a position (sic) to spare more paramilitary forces in view of its commitment elsewhere. As the situation is spreading to villages and major highways are also being blocked, our resources are stretched to the maximum. We feel that the services of additional forces from neighbouring States like yours would help the State Government in handling this precious law and order situation. We would therefore request you to favourably consider our request for sparing 10 companies of your Armed Police to help the Government in handling the law and order situation.

Thanking you,

Yours faithfully,

(K. NITYANANDAM), Secretary to the Government of Gujarat, Home Department.

Copy forwarded with compliments to The Director General of Police, Bhopal. (Madhya Pradesh).

Identical letters were sent to Government of Rajasthan and Maharashtra

It is noteworthy that Government of Madhya Pradesh took 13 days to respond and turn down the request. The other two state governments made similar excuses for denying Gujarat Government additional forces to deal with the law and order situation. The exact text of Madhya Pradesh Government's response marked "secret" is given below.

No. 1523-1557/2002/C-I

GOVERNMENT OF MADHYA PRADESH

HOME DEPARTMENT ('C' SECTION)

Bhopal, dated 13 MAR 2002

From

R.C. Arora,
Secretary to Government.

To
The Secretary,
Government of Gujarat, Home Department,

GANDHINAGAR.

Sub:- Provision of 10 Coys. Of MPSAF to Gujarat

Sir,

Please refer to your letter No. SB.V/MMM/102002/769, dated 1st March, 2002 regarding the subject cited matter. It is regretted that due to heavy commitments of MPSAF within the State, it is not possible to spare the force at this moment.

Yours faithfully,
(R.C. Arora)
Secretary to Government

It is puzzling why the response of MP government was marked "secret" while the request of Gujarat government for additional police had no such noting.

Today, Digvijay Singh is one of the fiercest critics of Modi for his alleged "complicity" in 2002 riots. But Digvijay Singh had no answer when Modi reminded him in a meeting of the National Security Council how as CM of Madhya Pradesh he had snubbed the request for additional forces.

Do these letters indicate a sense of urgency on the part of Gujarat chief minister in quelling the riots or do they show Narendra Modi to be a modern day ‘Nero’ who paid no heed while Gujarat burned?

To quote SIT counsel R S Jamuar who reportedly said while defending SIT’s closure report which is being challenged by Teesta Setalvad and Zakia Jafri in a court in Ahmedabad: “What was Zakia expecting from accused number one (Modi)? That he should have gone with AK-47 in his hand to control the rioting mob” (*Express News Service*, April 27, 2013)

8

When Select Phrases are Lifted and Distorted out of Context

Modi's "Action-Reaction" Statement on 2002 Riots and "Rs 50 Crore Girlfriend" Speech

Rajiv Gandhi had justified the 1984 pogrom against the Sikhs in Delhi and other places in north India saying, "When a big tree falls, the earth is bound to shake." It was the most clear cut example of Congress led killings which resulted in one way killings of Sikhs and brutalization of Sikh women. Not a single Hindu was killed in the 1984 mayhem. Till date not a single Congress leader who was found leading riotous mobs during those murderous days, has been punished. Nor was Rajiv Gandhi or any other Congress leader hounded for allowing the massacre for full 3 days right under their noses. But then Congress does not have to worry about such trivialities since it claims to be "secular"!

Teesta Setalvad's NGO and others targeting Narendra Modi for his alleged complicity in the post Godhra riots of 2002 have tried attributing a similar statement to Narendra Modi. The Supreme Court appointed SIT examined the charge in –depth. The charge is that when asked about the post Godhra violence, Modi quoted Newton's third law of motion which states that 'every action has an equal and opposite reaction' - "*Har kriya ki pratikriya hoti hai" (*Quoted in *Communalism Combat*, pg. 107, "Genocide Gujarat 2002" (Mar-Apr.2002), Ms Setalvad's case is that this proves Modi justified the anti Muslim violence that followed the burning down of a rail bogie leading to 58 Hindus being charred to death.

However, the Special Investigative Team appointed by the Supreme Court exonerated Modi of this charge on the ground that that the actual statement was- "***Kriya pratikriya ki chain chal rahi hai. Hum chhate hain ki na kriya ho aur na pratikriya***" (A chain of action–reaction is going on. We want that there should be neither "action" nor "reaction")

It all started with an incomplete statement telecast on Zee TV based on an interview conducted by Zee correspondent Sudhir Chaudhary. As per the testimony of Sudhir Chaudhary, Zee TV Correspondent to the SIT, he had attended a press conference held by Narendra Modi on 01-03-2002, in the Circuit House at the outskirts of Gandhinagar. He requested Narendra Modi for a short interview after the press conference. The latter agreed and was interviewed for about 10 minutes. (SIT report page no.187)

When Chaudhary questioned the CM about the Chamanpura (Gulberg Society) massacre in which the former Congress MP, Ehsan Jafri was killed along with more than 50 others, the Chief Minister in his replies referred to the reports that Jafri had first fired at the violent mob, which infuriated the crowd further and that the mob thereafter stormed the Housing Society and set it on fire. (SIT report page no.187)



Sudhir Chaudhary

According to Chaudhary, Narendra Modi referred to Jafri's firing as "action" and the massacre that followed as "reaction". Modi's exact quote was: "*Kriya pratikriya ki chain chal rahi hai. Hum chahte hain ki na kriya ho aur na pratikriya*". A chain of action – reaction is going on. We want that there should be neither "action" nor "reaction")

However, in the Zee TV telecast, as well as newspapers that picked up Modi's statement, the last line saying, "*Hum chahte hai ki nakriya ho aur na pratikriya*."(We want that there should neither be "action" nor "reaction") was deliberately omitted.

Similarly when asked about the wide spread violence in Gujarat post Godhra CM's reply was: *"Godhra main jo parso hua jahan par athavan(58) purush, mahilaon aur bacchon ko zinda jala diya, Is main desh main aur videsh main sadma pahuchna swabhavik tha. Godhra ke is ilake ke logon ki criminal tendencies rahi hai. In logon ne pahele mahila teachers ka khoon kiya. Aur ab yeh jaghanya apraadh kiya hai jiski pratikria ho rahi hai."(*The incident of day before yesterday at Godhra when 58 women, children and men were burnt to death was bound to create deep shock both within and outside the country. People of this particular area of Godhra have had criminal tendencies. These people had earlier murdered some women teachers. And now they have committed this gruesome crime which is producing this reaction.)

During investigations, a requisition was sent to the Zee TV to make available a copy of the CD of the television interview of Narendra Modi conducted by their correspondent Sudhir Chaudhary on 01-03-2002. Despite two reminders and a notice u/s 91 Cr.P.C. sent to them, the CD was not made available to the SIT. (SIT report page 188). But Sudhir Chaudhary told the SIT that the Chief Minister was of the view that he neither wanted action nor reaction.

When Narendra Modi was questioned about the aforesaid interview given to Zee TV on 01-03-2002, SIT records his statements as follows:

a. Those who have read the history of Gujarat would definitely be aware that communal violence in Gujarat has a long history and the State had witnessed serious incidents of such communal violence.

b. As regards the Zee TV interview of 01-03-2002 is concerned, Modi told SIT that he had always appealed only and only for peace. He had issued several appeals to the people to shun violence in straight and simple language. If his words cited in this question are considered in the correct perspective, then it would be evident that there is a very earnest appeal for people refraining from any kind of violence. (SIT report pages188-189)

c. Regarding the statement made to the media about post Godhra riots by citing Newton's law that every action has equal and opposite reaction, Narendra Modi said that *The Times of India* had published a news item on 03-03-2002, purportedly as though he had given an interview to them whereas the truth is that nobody from TOI met him indicating that his so-called justification "Action-Reaction Theory" was a case of misreporting. He said that it had been his considered opinion that violence cannot be replied to by violence and he had appealed for peace. Modi told the SIT, he had not and would never justify any action or reaction by a mob against innocents. (SIT report pgs. 187-188).

d. Modi informed the SIT that when this news item misquoting him appeared in TOI, the state government immediately sent a protest letter to the editor of *The Times of India* pointing out that the CM had not been interviewed by TOI nor had he justified the violence in the words attributed to him. But the TOI did not publish the correction issued by the CM's office. It was brought to the notice of the editor twice in writing before the CM's clarification was published on 23rd March—a good 20 days after the original story was published on 3rd March 2002. What is worse, while the inflammatory misquote attributed to Modi was published on the front page of TOI in both the national edition as well as in the Ahmedabad edition, the clarification by the CM's office was published on 23rd March in a remote corner in the inside pages of the Ahmedabad edition while the Delhi edition did not carry it at all.

That these were not afterthoughts to save his skin is evident from a series of press statements and appeals on Doordarshan issued by Narendra Modi during that period. For example, on February 28, 2002, Narendra Modi released the following personal peace appeal in Gujarati broadcast across the state on Doordarshan at 7pm. It was repeatedly broadcast thereafter on the same evening. I've translated it verbatim in English.

The Hindi version with English subtitles is available at **http://www.youtube.com/watch?v=BIRMR8zW0iI.** **(The YouTube translation is stylistically somewhat different from mine given below, even though there is no difference in the overall content).**

> Yesterday in Godhra an inhuman tragedy struck. More than 40 women and children were burnt to death. 18 men were also burnt alive. In all 58 people were trapped inside a rail bogie and mercilessly massacred by cannibals. Such a heinous crime will bring tears to the eyes of the most hard-hearted person. This devilish and inhuman act committed in the land of Gujarat cannot be tolerated/justified in any civilized society. This crime cannot be forgiven. I want to assure the people of Gujarat that something like this will never be tolerated. The culprits will be appropriately punished for the crime they have committed.
>
> Not only that, we will set an example so that in future no one will dare dream to commit such a heinous act. The government of Gujarat is committed to the protection of all its citizens. Those who take law into their hands and destroy the lives of innocent people have no place in a civilized society. I share the grief of the people of Gujarat. **For any humanist such an incident would cause indescribable grief. But at the same time creating disturbances (*ashanti*) indiscipline and expressing outrage (*akrosh*) is not the solution.**

Violating the law and venting your anger by indulging in riots cannot be tolerated in any civilized society. I understand your feelings but I pray to you that the need of the hour is to maintain peace and self-restraint. We are determined to punish those who have committed this crime. No one will escape their due punishment. **Won't you help the Government in saving Gujarat? Won't you help us in maintaining peace and harmony? The Government of Gujarat appeals to you for help, appeals to you for *shanti* (peace) and*sanyam (*restraint/self-discipline).**

In the midst of this *akrosh* (deep outrage) it is my humble request that in such a testing time Gujarat expects from you what it is best known for. There are numerous examples of how Gujarat has maintained peace and harmony during the most adverse of times. I want to remind you of this unique characteristic of Gujarat - of showing restraint and maintaining peace during adversities. **Let us serve Gujarat by maintaining *shanti and sanyam*. Let us strengthen the arms of law.** Let us create an atmosphere that will ensure the most severe punishment for the perpetrators of this heinous crime. I am confident that my solemn appeal will touch your hearts. Let me assure you that everyone in the Government feels the shock and pain experienced by you. We feel the same intensity of pain as you do.

Even the Prime Minister is deeply disturbed by these developments and so is the Home Minister of India. The entire country has expressed solidarity with and shares the grief of Gujarat. But the responsibility to maintain peace, harmony and restraint is *ours*.**I understand your anger and outrage, I understand your pain. And yet in the self-interest of Gujarat, and to ensure that we don't jeopardize the future of Gujarat, that Gujarat doesn't get a blot on its face/ carry a stigma connected with these times all the 5 crore Gujaratis need to keep calm and exercise self-restraint.**

I also want to express my gratitude to you that in the midst of so much anger, out of 18000 village of Gujarat, disturbances have broken out only in a handful of villages.

By and large, there is any atmosphere of peace. However, the incidents that have occurred in the cities of Gujarat are disturbing. **It is my request to you, tit for tat is not a solution. "*Ver ver thi shamtu nathi*"** (Hatred is never won over by hatred)

I am not here to give you sermons. But I see the bright future of Gujarat. For its sake, I seek your help come and help the Government in maintaining peace.

The government seeks your help in punishing the guilty through the due process of law. The government seeks your help in creating an environment of peace so that law can take its own course.

I have full faith that the people of Gujarat will respond to my appeal and will work together for a peaceful Gujarat.It is our responsibility to ensure that innocents do not suffer or lose their lives. Come, let us together work for establishing peace. Again, let me assure that I full share your grief and pain. However, let us together strengthen the hands of law so that the guilty get the severe punishment due to them to set a historic example. Once again I appeal to the people of Gujarat for peace.

Jai jaigarvi Gujarat mantra jeevant karne ke liye hame shanti ka marg hi chahiye.In order to give life to the mantra of Jai Garvi Gujarat, we need to follow the path of peace.

I for one cannot find fault with this speech. There is a not a trace of provocation or demagoguery in it. Even the body language and facial expressions of Modi are sombre and sad—far away from the kind of devilish reaction attributed to him.

It isn't just this one speech. Throughout the month of March and April, Modi kept issuing similar peace appeals, no matter which platform he spoke from. Here are extracts from press releases issued by the state government and from his speeches.

1.03.2002

- Verify before printing/broadcasting-do not spread false news" 1st March 2002 (source CM Press Release 1.3.2002)

- Do not mention names of communities as per established press ethics and practices-to stop the spreading of violence…Do not show visuals of the dead people to avoid emotional flare ups leading to violence… There will be no compromise in law and order situation. Gujarat's peace and tranquility will not be allowed to be disturbed by anti-social elements intent on exploiting the people's anger/feelings… Restoring peace is our top most priority. We will act strongly against those disturbing the peace." (source CM Press Release 1.3.2002)

2.03.2002

- Interest of Gujarat lies in peace and not in communal tension or disturbances… State Government is committed to pacify the wide spread anger amongst the people and restore law and order with strong political will... No one will be allowed to take law into their own hands and strict directives have been given to deal very firmly with all those provoking the people and all such elements trying to disturb the atmosphere.:" (source: CM Press Release 2.3.2002)

- I appeal to people to cooperate with the security staff in order to maintain law and order and in performance of their duties… Government cannot shy away from its moral duty of maintaining law and order in the state." (source: *Sandesh/Gujarat Samachar* 2.3.2002)

3.03.2002

- March is the month of examinations and therefore, I appeal to parents, guardians and educationists to help restore peace quickly and keep the atmosphere stress-free so that all examination are finished in time.: (source: *Gujarat Samachar* 3.3.2002)

6.03.2002

- Society cannot progress in an atmosphere of revenge and in violating law and order with impunity whatsoever may be the provocation as this does not behave a civilized society…Government is determined to award exemplary punishment to the culprits." (source: CM speech 6.3.2002 at a meeting with social leaders in Ahmedabad, CM press release 6.3.2202)

10.03.2002

- I will strengthen the law and order with a **strong administrative will**." (source: *Sandesh* 10.3.2002

- This Government will not spare offenders involved in disturbing peace" (source: *Gujarat Samachar* 10.3.2002)

14.03.2002

- I appeal to everyone not to be swayed by rumors and work for peace." (source: CM Press Release no. 324, 14.3.2002, Ahmedabad)

18.03.2002

- When the CM was asked on 18th March 2002 "What is your personal assurance to the Muslim community", he replied: "Safety and social harmony is my assurance. My government is as much theirs as of anyone else"…Godhra incident was painful; but it does not mean it is right for anyone to take law into his hands on the specious plea that is a reaction to what happened in Godhra...Rule of Law is supreme...there is no place for retributive justice (post Godhra) in a civilized society… Religious, social and political leaders will have to work in bringing back mutual trust within their communities"" [*Hindustan Times* quoting *Janmabhoomi* 18.3.2002]

22.03.2002

- Those disturbing the peace are inimical to the society at large… Law is common to one and all and any violator of law should not go unpunished by exploiting loopholes in law (Source: CM Press release no. 357, 22.3.2002)

Statements of Narendra Modi to SIT (27-28 Mar 2010):

- I had got recorded a message for the general public to maintain peace and harmony, which was continuously broadcast on the Doordarshan (p. 6, qn. 28).

- I used to meet the press almost daily … I used to appeal for peace and also highlighted the peaceful areas of the State (p. 7, qn. 30).

- It has been my Government's approach right from the first day, that **a culprit is a culprit irrespective of his caste, creed, religion or socio political background, as nobody is above law** (p. 9, qn. 41).

- I have not taken a single reproachable step. When people realize the truth they will know that my government will not spare anyone responsible for violence. (*Hindustan Times,* quoting *Janmabhoomi*)

The SIT conclusion:

"No case is made against Narendra Modi because even though during riots ghastly violent attacks had taken place on Muslims at Gulberg Society, Naroda Patiya and elsewhere by unruly mob, yet the alleged statements made by Chief Minister Narendra Modi appeared to have been quoted out of context."(SIT report page 99)



Police firing during riots

The full text of the SIT report clearly shows that this exoneration is based on examining not just the veracity of the controversial remarks of that day but also examining various other statements and speeches Modi made in the days following the Godhra incident. In addition, SIT also examined the actual actions of the state government. This included airlifting and deployment of the Army within 20 hours of the outbreak of violence. Despite various lapses, it is not as if the police was deliberately immobilized. Police lobbed**15369 tear gas** shells to quell the rioters. Out of **10559 rounds of ammunition fired 5450** rounds were fired during the first three days itself. Numerous Hindus were killed in police firing at riotous mobs. Even though violence had broken out at numerous locations in different parts of the state, riots were controlled within 72 hours.

Most important of all, the state has been totally free of communal tension in the last 11 years. There has not been a single day of curfew since then whereas in the earlier decades, curfews due to frequent communal outbreaks were a routine occurrence.

Since the newspapers and TV channels that misquoted Modi, refused to rectify their mistake the mischievous misquote acquired a life of its own and continues to be used as part of smear campaign even after the SIT cleared Modi of this charge.

This is not the first or the last time Narendra Modi's speeches or interviews have been twisted beyond recognition by selectively picking a phrase or two out of a whole speech or interview and presented in a distorted manner to present him in a demonic light. I became aware of this game when the national media went berserk over Narendra Modi's "50 crore rupees girlfriend" remark during the course of an election campaign speech in Himachal Pradesh. On the day this controversy broke out, one of the national TV channels asked me to join them for a panel discussion on this issue. It was expected of me that as a women's rights activist, I would join the chorus of outraged feminists to condemn Modi for his supposedly obscene anti-women remark.

However, since as a rule I don't start reacting in the media on the basis of cursory newspaper or TV reports, I requested the guest coordinator and the anchor of the program to send me the full text of the speech. But they said they did not have the full speech and sent me just one or two lines of that speech. I told them I would join the TV panel only if I could lay my hands on the full speech.

Fortunately for me, the full speech was available on YouTube. This was the first speech of Modi I ever heard and it proved a major turning point for me. Modi had raised serious and substantial issues throughout that speech and talked with great sensitivity to the plight of rural women. Even though the "50 crore rupees girlfriend" phrase was not in good taste but given the context in which it was said, his charges had substance. And yet, not a single TV channel or newspaper report or editorial dealt with the speech as a whole or picked up any salient issue. For days on end this phrase was bandied around as an ultimate proof of Modi's misogyny and to declare him unfit for any high office. When I tried to point this out in the TV debate and later through an article in *The Indian Express*, I was attacked for having turned an apologist for a "fascist".

Since then I have downloaded and heard dozens of Modi speeches addressing diverse audiences—from students in elite institutions, to farmers, teachers, government officials, business chambers, public meetings organized by religious organizations, by women's organizations as well as speeches made during election campaigns in different states. I find that each of them deal with serious issues in a serious way. I reproduce below an English translation of the "50 crore girlfriend speech" to enable the readers to judge for themselves.

Modi's "50 Crore Rupee Girl friend" Speech during Himachal Elections

> When I come to Himachal, I feel this is my second home outside Gujarat. I have lived and worked amidst you for long years. I am familiar with every inch of this land (*chappe chappe se parichit hoon*). Even today as soon as I reached Mandi I asked, do people still eat Sepu in this region or not? I have deep attachment to this region. If Gujarat was not in the midst of elections, I would have spent several days with you to refresh those memories. But just as you are making all efforts to uproot the Congress from this state, the people of Gujarat are also readying themselves to say good bye to the Congress for ever.
>
> Brothers and sisters, today the whole world is talking about Gujarat's development. Wherever you go, people say, Gujarat has worked wonders. How did this miracle happen, what is the secret behind it? I can say with confidence that If my brothers and sisters of Himachal come to understand this secret of Gujarat's success, my Himachal will also begin to shine as brightly as Gujarat. This is my promise to you.
>
> Brothers and sisters, the citizens of Gujarat have done one big thing. Normally this happens in very few states of India. The six crore Gujaratis have given the state political stability and *rajnaitik sthirta* by repeatedly re-electing a BJP government in the state. This stability forces a political party to be accountable.
>
> When there is a change of regime every five years, it does not promote a culture of political accountability. Since Gujaratis have elected me CM three times, they can ask

me: Tell us Modiji what did you do about this or that? But if you are in power for just 5 years, then there is no space to ask questions from political leaders.



Narendra Modi during the 2012 Himachal Pradesh elections

So brothers and sisters, I have come with just this one message for you from Gujarat—you have experimented enough with changing the governments over and again. Due to these frequent changes, there cannot be firmness of policies, nor time to set the system right. The state remains stagnant as a result. Brothers and sisters, I have come from Gujarat to plead with you, I have come to this *devabhoomi* to plead with you, come to beg the citizens of this sacred land to focus on the principles of political stability behind Gujarat's development. Please elect the government of Dhumalji. I promise you that I am willing to be held accountable about his next 5 year term. Himachal will show you the same track record of development that Gujarat has shown.

Yesterday, "Maun Mohan" Singh ji came for a tour of Himachal and the big news in today's newspapers is that "Maun Mohan" Singh broke his silence (*maun*) in Himachal. No one knows what the PM thinks about the state of affairs in India. Some days ago Madam Sonia ji had come to the same venue here in Mandi. PM has also come. Many others will follow suit one after another. I would have felt happy, I would have felt a sense of satisfaction (*santosh milta*) that the PM and Sonia Madam care about the poor of this country if they had spoken about price rise, if they had expressed sympathy, compassion (*samvedna*) and concern for the poor of this country—if only they said, we have failed thus far to control inflation and price rise but we will at some point succeed in bringing them under control

Brothers and sisters, I want to ask you did either of these two speak a word about price rise? Have they given any answers why prices are rising so phenomenally? Did they express any pain on that account? Price rise is a burning issue today. And yet their heart doesn't hurt on its account.

Is it not the duty of the Prime Minister to explain to the people what happened to his party's promises? When they fought the last election, they had promised that they will bring inflation under control in 100 days. But it is over 2000 days since then. Should they not apologize to the people and say 'we have not succeeded in controlling price rise. This is our lapse. People should forgive us for this lapse'.

But the Congress Party is so arrogant, it has no care for the sentiments of people, they don't care for the country either. They are busy doing their own thing. They are arrogant enough to think that the world is in their *jhola* (shoulder bag); they can twist and turn the world as they like.

What is worse they have even snatched your gas cylinders. My mothers and sisters are sitting here in large numbers. This is a cold region. Therefore food gets cold in no time hereand women have to heat and reheat the food several times in a day. In such a situation when they take away your gas cylinders, are women going to serve uncooked food to their husbands?

In the normal course of things, a family uses about 24 gas cylinders in a year. But they have announced that a family will get six cylinders a year. Will the poor families be able to afford buying 18 cylinders in the black market? Will such families not be forced to revert to firewood *chulhas*? Will they not have to go back to collecting firewood from the forests? Will it not lead to the destruction of the lush green land of Himachal? Won't my Himachal be forced to cut down forests? The same Himachal of which the entire country is proud will have no option but to cut its trees in order to cook its daily meals. If anyone is to be held responsible for the consequent deforestation it is the Delhi Sultanate!

I want to pay my tribute to Prem Kumar Dhumalji that despite getting no help from Delhi he cares for the travails of our mothers and sisters, he cares that the children get warm food. Therefore, he has promised to give a gas stove to every family. I consider this a very important step.

Friends, this is not like the empty promises Congress makes. He has shown it will be done. No false promises, no empty slogans. If I was a citizen of Himachal, my vote would have certainly gone to Dhumal ji for his act of compassion, for his care for the poor families of Himachal. This is a slap on the face of the Delhi government. This is not a mere *chulha*, this stove will not just cook food; this stove will reduce the entire Congress Party to ashes.

Brothers and Sisters, I want to tell you a story about Gujarat. We began the process of providing cooking gas to every home through a pipeline. I was able to accomplish the task in 300 villages. Seven lakh rural households/ families began getting gas through a pipeline just as people get piped water in homes. It was my dream to provide this gas pipeline to 20 lakh more households last year. The Congressman realized that if Modi manages to reach a gas pipeline to every home and that too at half the cost of cylindered gas, all the women will gravitate towards Modi's side and Congress will be totally marginalized; it will not survive.

So what did they do? They enacted a law through the Government of India that only the Central Government can provide gas pipeline. No state government can provide gas to its citizens through a pipeline.

Now you tell me, why such poison? Is Gujarat not a part of India? Is it in some foreign land that you decide to cut off its pipeline? Does this act behove you? If they hadn't cut off the gas supply, today 20 lakh families would have had gas supply in their home at the turn of a tap. It would have saved the expense of 3 crores gas cylinders. That in itself would have saved Government of India a subsidy of 15000 crore rupees! But because Modi was getting the credit for all this in Gujarat, they stopped this work.

Brothers and sisters, I am not the kind to sit quiet. They don't realize Modi knows how to fight back. I have now knocked at the doors of the Supreme Court. I will not rest till I make the Government in Delhi bend on this.

Brothers and sisters, look at the character of the Congress Party. They have altogether lost *lok laaj* (public shame). At one time *lok laaj* used to be the biggest asset of people in public life. *Lok laaj* has been an important consideration since the time of Prabhu Ram. In our society, *lok laaj* has played a very important role. But Congress has altogether abandoned *lok laaj*. They had a Power Minister. During his tenure there was a power breakdown for 48 hours in 19 states of India. It was a total black-out due to failure of power supply. 70 crore citizens of India had to live in darkness for 48 hours. Those who were in hospital operation theatres had to suffer the risk of doctors having to stop the operation mid-way. Those who were travelling in trains were stuck mid-way. The world over, newspapers commented 'what kind of country is India that even in the 21st century it cannot provide electricity to its people.' There were long full half page articles on this. But at the end of these long articles, there would be a small paragraph saying on the one hand all of India was submerged in darkness and on the other side was the state of Gujarat where alone lights were shining bright. But the point of telling you the story is different.

The minister under whose charge India was submerged into darkness, the minister who caused so much international embarrassment for India, that minister should have been made to quit that very night. But look at the character of the Congress Party! Look at their culture- how they behave without any sense of shame! Without a thought for *lok laaj,* see how they behave. That very week that minister was given a promotion and made the Home Minister of India!

If you are a failure, you commit crimes, indulge in wrong doing, you get promoted in the Congress Party. There is another Congress minister -- Salman Khursheed ji. I don't know whether he is "Khurshid ji' or "Kursi ji'. Serious allegations were leveled against him- the charge of gobbling up money meant for disabled persons. No enquiry was held, no facts revealed, no action was taken. He should have been asked to resign. There was real heartburn in the country. But what did they do? Yesterday, he too was given promotion. You commit crimes and earn a promotion! You cheat and you get a promotion!

There used to be another Congress minister. He was accused of siphoning off money in the cricket scam and much else. He stood in the parliament and said I have no relation with the woman in whose account Rs.50 crore was deposited. He declared this in parliament. And yet, within a month the invitation cards of his wedding with that same woman were being distributed all over the place!

Brothers and sisters, you tell me, have you ever seen a 50 crore rupee girlfriend in this impoverished country? At that time, it had created such a stink that he was forced to resign. That matter is still hanging where it was. But yesterday, he too was exonerated with honour by being given a ministerial berth. This is Congress culture!

Brothers and sisters, what happened with your Himachal? A Central government minister from Himachal Pradesh was indicted by the High Court. So Congress felt pressed enough to accept the resignation of Veer Bhadra Singh ji. After that they tell him this is enough. But what did they do after that? They accepted his resignation from the Central Cabinet and handed over the charge of the entire state of Himachal Pradesh to him. Brothers and sisters, this is the work style of the Congress.

I am shocked at the kind of culture Congress Party wishes to let loose in this country! Why should such a party be tolerated in the country?

This is not all. Recently, there was an income tax raid on a steel company. They found a note that such and such amount has been given to a certain V.B.S. Income Tax department carried out an investigation. Do you know who that V.B.S turned out to be? Congressmen declared that V.B.S is not Veer Bhadra Singh. Well, he is actually Veer Bhrashtar Singh (Courageous Corruption Singh).

Brothers and sisters, if there are stray instances of corruption then this country has the ability to fix those persons. But when *bhrastachar* becomes *shistachar* (corruption becomes a way of life) at the highest echelons of power, when there is all round laxity in dealing with corruption, when overlooking charges of corruption becomes an ingrained characteristic, then the country is in deep crisis. This is why we need to be afraid of the Congress. It is not a matter of one or two scams. This is a matter of Congress Party making *bhrastachar* into s*histachar*. And if corruption becomes a way of life, you can well imagine how this country will be destroyed.

Brothers and sisters, I feel deeply disturbed on another account. India has a federal structure. Diverse states join together to make this country. This has been laid down by the Constitution makers of this country.

But it has become an ingrained habit of the Central government to conspire to bring down BJP led governments and put road blocks in the development of those states which are ruled by the BJP. I urge my journalist friends to analyse the character of the present day Congress Party. It is the need of the hour. We need to research this issue with a new perspective. At the time when the Congress flag used to fly all over the country- this party used to rule from the panchayats to the parliament- if an opposition party came to form the government in some state, no matter with how large a majority- the Congress Party used all kinds of foul means, all kinds of weapons to divide the ruling party in that state, even if meant buying and selling the loyalty of MLA's; it would lure them with lucrative offers in order to bring down those

governments. For 20 years, the Congress kept doing such things. And if it failed to divide and reduce the opposition ruled state to a minority, then it misused Article 356 of the Indian Constitution on some pretext or the other to bring down that non-Congress government. The Congress Party misused the Constitutional institutions of the country to continually crush other political parties.

But today this is beyond the power of the Congress. They are not able to trample upon states; they are not able to bring down non-Congress state governments. Today they are unable to mindlessly misuse Article 356. I urge my journalist friends and political pundits to study the strategy of the Congress Party. The same Congress that kept on bringing down state governments by misusing the Constitution for 20 years is today conspiring to throw muck and tarnish the character of leading politicians. It misuses Constitutional bodies for this purpose. It misuses all the investigative agencies that are under its charge. Whenever a non Congress party is on the ascendant, Congress implicates it in all kinds of charges, spreads false canards about them; they use the media to unleash one sided smear campaigns. This is its latest *shadyantra* (conspiracy).

There is not a single opposition party leader who has been spared such targeting in the last 10 years. They have chosen the strategy of character assassination. And what do they do after that? Misuse the CBI for partisan politics. Even when they need a vote in parliament, they bring the CBI into the battle field. Friends, I say it with challenge, in Gujarat; it is not the Congress Party which is fighting the election. You will be surprised to know that in Gujarat the Congress party is nowhere in the electoral field. The candidates maybe of the Congress party but the election is being fought by the CBI! These are the stratagems being used.

Brothers and sisters, wherever there are BJP state governments, they are being meted out injustice; their development is being road blocked, they are treated as though they are an enemy nation. This is how the Delhi government treats BJP governments. I make this allegation against the Congress openly. Brothers and sisters, I have seen how they have tried to destroy BJP governments.

You see for yourself in Himachal: one of the main development tasks in this hill state is that of building roads because every now and then a landslide causes roads to cave in and hills to come crumbling down. Such damage is common in hill areas. The Government of India makes tall claims and Madam Sonia ji came here and said, we have given Himachal Rs 10,000 crores. Madam, I want to ask you, did you bring these 10,000 crore rupees with your dowry? This money is the product of the hard labour of 100 crore Indians. This is not your personal property. Delhi [Government] better listen to this with open ears: you cannot put us down in the name of money [grants].

Bharatiya Janata Party is a party dedicated to the people of India. We are working for the development of our people. This is no way to behave. If we ask for a cup of sugar from a neighbour’s house, does he ever say: “I gave you sugar the other day when you had guests in your house!” Do our mothers and sisters ever say that? After all, these are routine dealings. But she comes and says, ‘I gave you 10,000 crores. Madam Sonia ji, if you do not know how to rule from Delhi, you better quit power.’

You have all the institutions at your disposal to seek accounts from various states. Till date, none of your constitutional bodies have dared point a finger at Dhumalji. Why not check the accounts? He has got the full accounts. The Planning Commission has the entire account of that expenditure. This state runs according to the laws and regulations of the land. But in order to misguide people, you make all these charges. I am surprised even 'Maun Mohan' Singh ji also made similar statements. But I was glad that 'Maun Mohan' Singhji spoke a sentence or two admitting that Himachal has witnessed development. But he later added that the money came from Delhi.

Brothers and sisters, Delhi is the capital of Hindustan and Himachal is an integral part of Hindustan. It is an insult to the Constitution of India to speak of Himachal as if it is separate from India.

Brothers and sisters, Dhumal ji is a good friend of mine. I've had deep links with the land of Himachal. I've come from Gujarat to ask for something special. I want you to vote in large numbers on the coming 4th [in the forthcoming election]

Please press the button on BJP's lotus symbol to register your voice against corruption, press the button on lotus symbol to register your outrage against price rise, press the button with lotus symbol to express your resolve to uproot the Delhi Sultanate. Brothers and sisters you should not allow the evil deeds being committed in Delhi to enter this *Devabhoomi* [the land of gods]. This is a sacred land of India. My Himachal is a sacred place. It is the *Devabhoomi* of India. Please do not let the evil deeds of Delhi to enter this region. Protect Himachal from them. I'm fully confident that Dhumal ji will protect Himachal.

I'm grateful to the brothers and sisters of Himachal Pradesh for giving me so much honour. I'm very thankful to you.

Please join me in saying: *Bharat Mata ki Jai*.

The bulk of Modi's speech dealt with burning issues of our times such as price rise, fuel scarcity, corruption scams, lack of accountability of those in power, distortions in Centre-state relations. He focused in particular on the impact of inflation on poor households and addressed specific issues concerning rural women from poorer households and critiques policies that increase drudgery in women's lives. He deals with the subversion of federal principles and the resultant distortion of political priorities in India.

Neither print nor electronic media chose to focus on these issues when they endlessly debated the "50 crore" remark for days on end. Neither did the media care to investigate and discuss whether the claims made by Modi regarding the piped gas project and universal rural electrification in Gujarat are accurate or exaggerated. It is well known that the Congress party's use of Central funds to arm-twist chief ministers undermines federalism and vitiates Centre-state relations, impairing the health of our democracy. The Centre's near-total monopoly over key sources of taxation leaves state governments at the mercy of the Delhi durbar, distorts state policies and development programs. Modi has repeatedly raised this issue but it does not invite the slightest notice in media.

For example, most state governments end up pushing liquor sales because that is one of the few sources of revenue they can impose directly. Villages that lack clean drinking water have a plentiful supply of government-patronized liquor shops. This drains out incomes of poor households, leads to greater domestic violence and strengthens the hold of political goondas who own these liquor *thekas* in villages.

But the media did not spend a fraction of the time discussing these vital issues concerning women and democracy. Instead, for hours and days non-stop, we heard militant feminists breathing fire and brimstone and TV anchors emoting profusely over the alleged insult hurled by Modi at Shashi Tharoor's wife. They were provided hours of TV time to play victim. No one discussed Tharoor's involvement in the cricket scam which had earlier forced Tharoor to resign. There was no mention of why he was reinstated while the charge remained hanging without investigation. The controversial phrase, "Rs. 50 crore girlfriend" referred to Congress Party's penchant for rewarding its ministers for scams and scandals showing its scant respect for accountability.

Such sarcasm is the stuff of all election speeches everywhere in the world. In fact, compared to the invectives and abusive terms routinely used against Modi by Congressmen and pro Congress NGOs, this is mild stuff. He has been called a scorpion, a snake, a fascist, a mass murderer, merchant of death and worse by senior Congress leaders on prime time television. I have never witnessed any fuss being made about the hate speeches leveled at Modi in particular and BJP in general.

What happens to Narendra Modi is not important. What is important is the systematic distortion of facts, corruption of public discourse in India through gross misuse of the media and subversion of public institutions for partisan ends, including the highest judiciary of the land.

The credibility of the media and the human rights community in India has been seriously eroded because of their brazenly partisan conduct. It is tragic to see our supposedly independent media and NGOs claiming to be defenders of democratic rights and minority rights willingly act as the fighting arms of the Congress Party even when it is playing sinister divide and rule policy in order to stay in power.

9

Nightlife in Ahmedabad

Some Glimpses

Even though I have not yet had the time to study the law and order situation in Gujarat, when I was visiting Ahmedabad, one of my twitter followers from the city wrote to me saying "While you are there, go visit a police station. You would be shocked (pleasantly)". There was visible pride in his urging me to go and notice the change in the system of policing in Gujarat. More than in police stations the change is visible in people's perception of the law and order situation. **Govind**, the driver of the private taxi that took me from Ahmedabad to Gandhinagar told me:

"The best part of this government is that it has very firm control over law and order. Even at night, there are no highway dacoities or loot maar as are happening in other states. Therefore, it is good for our business. But all this is not just due to police crackdowns. This government has created work and job opportunities for all. For example, there is a poor adivasi settlement around Ambaji Mandir. Some of these men used to indulge in crimes and loot. That community has been given a contract for garbage recycling. So they are very happy about having a regular source of income and are busy making money from that. The government has a plan to make Gujarat a Zero Garbage state with its slogan "Reduce, Recycle, and Reuse. So it is win-win for all."

At his insistence I did go and watch garbage collection at night. Fully automated garbage trucks were active throughout the night unlike in cities like Delhi where huge piles lie rotting for days on end.

I asked a young woman IT professional in Ahmedabad (whose name I forgot to note down in my notes): There have been a number of media reports about "increasing" crimes against women in Gujarat. What is your perception as a young woman come from outside this city to work in Ahmedabad? She replied:

"You don't judge law and order from police department statistics because there is systematic under reporting of crime in India. States which register lower crime rate are not necessarily the safest places for citizens. The most important indicator is citizens' perception of safety. If you take that as the benchmark, you will see for yourself that Gujarat is perceived to be a much safer place for women. You will also find that Muslims also feel much more secure than they did before. Criminals don't act with the kind of impunity that they do in many other states."

On two consecutive nights, my host family took me for a tour of the city past 11 pm. I went to Ahmedabad at the time when anti rape agitation was still at its fever pitch. The sense of insecurity due to never ending incidents of abduction, rape, and murders had brought out lakhs of people to protest on the streets in numerous towns and cities of India. Even in Delhi one hardly sees unaccompanied women on the streets past 10 p.m. But Ahmedabad presents a totally different scenario. It has an active night life for both women and men, and that too cutting across all classes, castes and communities. This contrasts sharply with other metros where mainly people from elite families go out for late night parties. Nightlife in these cities is confined to pubs, discotheques, private parties and star hotels. Liquor is considered a necessary accompaniment in these gatherings. By contrast, the night life of Gujarati cities is liquor free and is lived out mostly on the streets.



The lively nightlife of Ahmedabad



Ahmedabadis enjoying a late night out at the eateries at Manek Chowk

For example, Manek Chowk—a residential cum commercial area in the heart of the old city – comes alive as a food bazaar only after 8 pm when the regular shops close down for the day. Amidst vendor carts selling snacks and kulfi, little eateries spread out very

ordinary tables and chairs on the road. They don't have the style and ambience of Parisian cafés but are far more lively and vibrant. In Paris or New York cafes, one only sees adult couples or groups of adult friends. But in the restaurants, eateries and hawker centres of Ahmedabad one sees entire families, including small children with parents, grandparents, aunts, uncles, have a late night meal or post dinner snacks and ice creams. I saw young girls driving in on their scooties long past midnight to hang out at Manek Chowk and other lively spots in the city.



Vidisha (centre), an aspiring C.A who hangs out with friends and family at Manek Chowk almost every night

Vidisha, who I met at Manek Chowk around 1:30 am, is in her early 20's. She is in the final year of a chartered accountancy degree. When I met her on January 13, she and her friends were standing and chatting away near their scooties. She told me she returns home after finishing her tuitions at about 11 to 11:30 pm. It is her daily routine to come to Manek Chowk around midnight after having dinner at home. Mostly, she comes alone on her scooty. But occasionally her cousins also come with her. She was emphatic in saying that she has never faced any sexual harassment or other forms of lawless behaviour when she is out late at night. On occasions when her scooty got punctured or there was some other mechanical problem, some or the other guy pushed her scooty all the way to her house. She and her friends— both male and female— hang out at Manek Chowk as a daily routine at night.

There are very few places in the country where you will you see women street vendors carrying on with their work till 2 a.m. in the night. During festivals, certain hawker markets are open virtually all night. On CG Road I photographed a young teenage girl pushing her vendor cart back home at 1.30 am along with her younger brother.



A young teenage girl along with her younger brother carrying on her work as a street vendor well past midnight



Teenage sisters from Bapunagar selling sugarcane at Manek Chowk at 1:30am

Since there is a heavy footfall of customers to these eateries till late in the night – one finds street vendors, including women vendors, selling various items of daily use, especially fruits and vegetables till as late as the customers last. I was surprised to find very young women as well as school girls – carry on with their business along with other family members till very late hours. For example on the night of 12th January, three teenage sisters from Bapunagar selling fruit and sugar cane told me they were going to be there all night since the next day was Makar Sankrant – a major festival. Therefore, they would have good business all night.

Even in elite commercial areas in addition to middle and upper middle class families, one saw plenty of lower middle class Hindu as well as Muslim families come out for late night snacks or dinner. For example, at 1.30 am I saw a Muslim family having snacks with two women sitting in a hired auto while others of the same group were sitting on the pavement enjoying their snacks. They were obviously from traditional conservative families because they were wearing burkas but without coving their faces. In the nearby market there were groups of young Muslim women who had come with their husbands for snacks and chai as pillion riders on motorbikes. They were also in burkas. A little ahead in the neatly paved enclosure of some corporate offices, one saw small children and young girls playing ball and langdi taang. My host family told me such scenes are fairly normal and routine in Ahmedabad.

I talked to several young couples on three consecutive nights. One such group of couples were in their late 20's or early 30's. All the men work in private companies. Two of the women were also employed. All four couples live in joint families. But on weekends they routinely meet on CG Road to sit and chat till late into the night. The women told me their in-laws go to bed early but the families have never expressed any anxiety about their staying out till late hours because they feel safe in Ahmedabad.

On the opposite side of the street were another group of young professionals. Some of them were sitting on the pavement while others were standing near their bikes having kulfi and chatting. Some among this group were married while some of the men were bachelors. The group consisted of three full time housewives, an owner of an automobile workshop, a software professional, an advocate, a travel agent, a transport agent and a physician. One of them is based in London and had come home for a vacation. He told me he feels much safer in Ahmedabad than in London. The couples and young people I talked to said that an important reason why rowdy behaviour was rare in Ahmedabad and other cities of Gujarat is the culture of restraint thanks to the official



Young couples unwinding and catching up on the streets of Ahmedabad

prohibition of liquor sales in Gujarat. Prohibition in Gujarat has been in place for decades in deference to Mahatma Gandhi's strong belief that liquor saps the physical and moral well-being of society.

Thus far, I have always opposed state imposed prohibition as an authoritarian measure that leads to corruption and emergence of bootlegging mafias. But hearing Gujaratis link social safety to prohibition made me seriously rethink my position. **page**

It is interesting that all the young people I met on the streets of Ahmedabad at night strongly defended prohibition even while each and every one of them admitted that liquor was freely available everywhere in Gujarat. They said people interested in booze know the suppliers just as they would know of their doctors or tailors. One phone call and you can have the brand of your choice home delivered within no time. Many drive down to the Rajasthan border to purchase their supplies. But most people who want a drink get it from a local supplier.

However, by all accounts bootlegging mafias have been substantially curbed in the last 10 years even though cheap desi liquor is readily available even for the poor at a price. The defenders of prohibition include those young people who admitted to having occasional drinks in private parties or small gatherings of friends. Several of these young people have been to Europe and America for long or short periods. Most of them, including women, had the external trapping of westernization — denim jeans, English medium education and so on.

I found this very puzzling because in most other metros, and state capitals, young people of such a background would consider state imposed prohibition a serious assault on their freedom. Therefore, I had long roadside conversations on this issue with several young and middle aged persons. Their reasoning in favour of prohibition goes as follows:

"People may occasionally drink in parties or even in the privacy of their homes but no one in Gujarat dares indulge in drunken behaviour on streets or in public places due to the official ban on liquor. The police have strict instructions to lock up such people right away; they even publish their photographs in the local newspapers the next day. That acts as the biggest restraining factor. Even when people drink in private parties, or among friends, they do it in moderation so that even their parents often don't get to know. Absence of drunkards in public places in an important reason why Gujarat is much safer for women."

I asked a group of young people if they missed pub culture and discotheque parties. They said:

Discotheques do exist in Gujarat but do not serve liquor. Abstaining from liquor is a very small price to pay for a sense of safety and security. Gujaratis know how to enjoy life, but we also know that drinking alcohol is not necessary for enjoyment. One can have a lot of fun without alcohol consumption. Don't you see for yourself how relaxed the environment is all around us even though it is now 12:30 am? You see families with young women and

even children enjoying their night out. In Delhi, people are afraid to get into a bus at 9 pm because buses are full of drunkards. The conductors dare not even insist on their buying tickets because they know these alcoholics can turn violent. You won't find such behaviour in Gujarat. People are much calmer and far less prone to picking up quarrels in public or getting into violent fracas over petty matters. It is to do with social restraints."

Almost all the working class men and women I conversed with also said that wife beating on account of drunkenness and other forms of crimes have come down even in poor bastis ever since bootlegging mafias have been brought under control.



Seized liquor bottles being destroyed by prohibition department officials in Gujarat

It could well be said that prohibition has been in force in Gujarat since decades, so its good or bad effects can't be attributed to Modi. However, liquor related criminality and social violence has come down in Gujarat for two reasons:

- The bootlegging mafias have been brought under control. Their dominant presence in bastis made the social environment very unsafe for all, especially women.
- Due to relatively greater discipline among the police today, rowdy behaviour on the streets or in public places whether by political dons or petty lumpens is dealt with more strictly.

That is why even though liquor is freely available under the table, its consumption is far more controlled than before and not visible in public spaces. Even private parties are far more sober than in Mumbai or in the discotheques of Gurgaon.

I recognize that these are impressionistic accounts based on stray interviews with people I spotted on the streets during three consecutive nights. But one is unlikely to get such responses in most other states of India.

In Delhi, Gurgaon and Noida for instance, owners of showrooms in fancy malls where the rich and famous go shopping, are beginning to request the concerned authorities to shut down pubs because anti-social elements gather around such joints and make the environment unsafe. Almost all pubs and discotheques hire marshals and musclemen as bouncers to deal with the wealthy goondas who gravitate towards such places.

On July 12, 2012, a 16 year old girl was stripped and molested by around 30 men outside a pub in full public view on G.S Road, one of the busiest places in Guwahati, Assam. She had gone to celebrate a friend's birthday. After her friends left, she was singled out and attacked.

In Tenali, Andhra Pradesh, a 45 year old woman named Bethala Kanthasuneela was beaten up and killed by a group of drunkards who emerged out of a local bar in a popular shopping centre called Gandhi Chowk. They beat up and pushed the woman under a lorry because she protested against their waylaying and assaulting her daughter, a B Tech student. (As per report in The Hindu, 10 April, 2013. Such instances have become common place on most states of India.

Several states of India have witnessed powerful anti-liquor movements with rural women in the forefront. They have all demanded shut down of liquor shops in their respective villages on following counts:

- Drunkards are far more prone to beating up their wives and children;
- Liquor consumption further impoverishes already poor households with liquor addicts unable to control their urge even if it means starvation for the rest of the family. It not only destroys the health of the man but also has an adverse effect on the nutritional status of other family members and education of children.
- Liquor shops attract anti-social elements and the village environment becomes unsafe for all, especially women who fear stepping out of the house in the evenings.
- Liquor contracts are cornered by political mafias who are able to strengthen their hold over the political and social life of villages due to their ill gotten wealth and clout with the police.

Since the rural anti-liquor movements have mostly been organized by left leaning organizations who mobilize poor peasants and the landless labourers, they received enthusiastic endorsement of feminists. However, when urban communities protest against proliferation of bars and pub culture, which also become gravitation centres for anti-social elements, it is condemned as a retrogressive and "right wing" demand aimed at curbing individual freedom.

In almost all my conversations on the streets of Ahmedabad, the capital city of India always emerged as a negative counterpoint and butt of jokes with regard to law and order situation:

"Aapke shehar mein to car parking ko lekar hi goliyan chal jaati hai, log ek doosre ka sir phod dete hain. Zara si car mein kisi ne takkar laga di aur chota sa dent pad gaya, to maara maari ho jaati hai. (People start shooting each other in your city because of a petty conflict over car parking. If someone so much as puts a small dent on a person's car, there is a major brawl) In Gujarat you don't see such behaviour. Nobody goes berserk if their car is dented by another vehicle. People don't indulge in road rage here like they do in Delhi."

Another group of couples told me:

"We saw endless curfews in our growing up years. Some 11—12 years ago any and every festival brought tension, riots and curfews. We feel fortunate that our children are growing up without seeing curfews. They don't even know what the word means. For us it was a routine occurrence in our growing years. Before 2002, every Hindu and Muslim festival would lead to clashes. Today, every community is able to celebrate its festivals in peace, be it Eid or Navratras. No one lives in anxiety for their physical safety the way we did when we were growing up. You will also not see brazen harassment on the streets as happens in Delhi. No doubt boys go after girls. But you don't see them act like lumpens as they do in Delhi. For the last so many years we have been coming here late at night along with our young wives. Not once have we encountered any harassment. Girls freely go around driving on their scooties past midnight. No one says anything to them."



Muslim women travelling alone late at night are a common sight in Ahmedabad

This was indeed the most curious sight for me— any number of girls riding their two wheelers alone or with another female on pillion— late into the night. No one gave them a second look. Scooty riders included young Muslim women.

This is not to imply Gujarat is crime free, but most people I talked to on the streets felt things were far far better than they were earlier. I was told even that the anti-rape agitation which swept many towns and cities of India did not evoke comparable response in Gujarat because women don't feel as unsafe.

Sparse Police Presence

The most remarkable thing about the city was the sparse presence of police on the roads. In all three days that I spent walking or driving down with friends late into the night, I did not see one police barricade for checking of vehicles – something very common in Delhi. This was particularly surprising because I reached Ahmedabad just before Makar Sankranti-- the famed kite festival, as well as the high powered Gujarat Summit in Gandhi Nagar. Therefore, a large contingent of ministers, ambassadors, and corporate honchos from both India and abroad were commuting between Ahmedabad and Gandhi Nagar. But barring security measures in and around the venue of the Summit, the rest of the twin cities seemed as relaxed as ever. No one mentioned any crackdown on Muslim or Dalit or poor neighbourhoods. No mention of preventive detentions of randomly targeted people. It is noteworthy that Modi himself is on top of the hit list of

jehadi Muslim groups who have vowed revenge against him for 2002 riots. And yet, not once did I witness traffic being stopped to enable VIP movement.

By contrast, in Delhi even ordinarily, city roads are littered with police barricades even on normal days especially at night. Motorists, scooterists truck drivers are routinely stopped for checks at night. These barricades are placed so foolishly, checking of vehicles done so brainlessly that all they achieve is nuisance for citizens and an opportunity for police to fleece young couples returning home tipsy after partying as well as truck and private taxi drivers.

Before the Republic Day and Independence Day in Delhi and other important cities, the police arbitrarily pick thousands of poor people under draconian preventive detention laws on the pretext of curbing goonda elements. Most of these people are innocent rickshaw pullers, street hawkers who live on pavements and other homeless poor or slum dwellers. Muslim youth are a favourite target. Nobody has bothered to ask that if those locked up under preventive detention law are genuine goondas, why are they out in the first place? Why round them up to show "action" before certain events involving VVIPs?

By all accounts – of both Hindus and Muslims – policing in Gujarat has become far more professional in recent years. Even in Juhapura, I asked several men and women whether the shadow of fear and insecurity they had earlier due to recurring communal riots still persisted. None of them said they were afraid to go out at night -- be it to commercial centres or in the Hindu majority areas. One cannot altogether rule out cases of police high handedness but several Muslims I met said the message from the top was clear: No discrimination against Muslims and heavy clamp down on goonda activities of both Hindu and Muslim gangsters. However, I did meet a few Muslim shopkeepers near Manek Chowk who did not express such positive sentiments towards the current regime. But, despite persistent questioning, I could not get them to provide any concrete incidents of lawlessness.

By all accounts, during the decades of religious polarization due to repeated riots, especially during the 1990's, Muslims were really afraid to go into Hindu areas and vice versa. This fear restrained people even when there were no riots. Even those few Muslims who had good relations with many Hindus were afraid to go into a 100% Hindu neighbourhood. Now that fear has gone. Today one finds any number of burka clad Muslim women in 100 % Hindu areas even late at night.

It is noteworthy that Gujarat leads all states in the number of Muslim policemen posted in thanas being 11% whereas the population of Muslims in Gujarat is 9%. This means Gujarat is the only state which has more than proportional representation of Muslims at the level it matters most— the thana level. But this has been done without making any song and dance about it.

Many Muslims, including the highly respected former **ADG Police**, **A.I Syed** told me:

"During Congress regimes, such goonda elements among the Muslims got a lot of encouragement. There used to be a lot Muslim "bhais" (dons) in those days. That also helped project a negative image of the Muslim community and created prejudice against them. In the last decade or so, all these dons have been marginalized in a firm and determined manner. Modi government has been tough on all kinds of anti social elements – whether of the VHP variety or the Muslim dons. So the space they occupied was eliminated.

But most important of all, when the anti social elements among VHP and Bajrang Dal were put in place and given the message that they won't be allowed to get away with terrorizing Muslims, the Muslims did not feel the need to have their own dons to confront Hindu goondas. Modi's scheme of things made them redundant.



A.I Syed, retired ADG Police

Even today, the leadership of the Congress Minority Cell is in the hands of dons.The Chairman of the Minorities Cell of Congress in Gujarat is a man named Wazir Khan Pathan. He writes B.A LLB for namesake and is a member of the High Court Bar Association, but originally he is a bootlegger. He is originally from Vishnagar, Mehsana district. Today the entire leadership of Congress Party in Gujarat is in the hands of Muslim dons which is why it is performing so poorly in elections."

To quote **Rais Khan Pathan**, a former right hand man of Teesta Setalvad who later fell out with her:

"All those Muslim areas that were once dreaded for being dominated by antisocial elements into illicit liquor brewing, smuggling contraband, drug peddling and other crimes are now very safe because Modi came down heavily on criminal gangs – Hindu or Muslim. Therefore, Muslims did not rise in defence of their community's dons. But police crackdown alone cannot marginalize goondas and people in illicit trades. Today, there are innumerable legitimate avenues for economic advancement available to Muslims, along with massive increase in educational opportunities. Therefore young Muslims of today feel no attraction for crime. Take my own example; I had a flourishing gutka manufacturing business based in Mumbai. But my biggest supply chain was in Gujarat. Now there is strict enforcement of gutka ban in the state because of its cancer causing effects. But I don't mind the ban because I could easily switch over to other businesses and make decent money."



Rais Khan Pathan

These days mafia elements are all into real estate business which is apparently dominated by wealthy Patels. This is where big money is made since Gujarat is industrializing and urbanizing at a fast pace"

Since I have not yet looked into the real estate business aspect, it is difficult for me to comment on the nature of criminal activity in that field. However, one thing is for sure, the general perception of the public is that Gujarat is not crime infested. The sense of optimism and citizen safety is palpable.

A Muslim businessman who prefers to remain anonymous told me:

"Ask any police officer-, he will tell you that policing in Gujarat has become much easier because there is no political interference by neither of the chief minister nor anyone else in the government. They say: "We have been allowed real professional autonomy to do our job well with a clear mandate that we have to be non-partisan and even handed." The same officer told me that the police stations in Muslim areas today have the lightest work load because criminal activities have come down dramatically in these areas. Earlier, Dariapur and Kalupur in Ahmedabad were the epicentres of anti-social activities. Most of the riots of the previous 50 years invariably started from these areas and spread from there to the rest of the city. But in the last 10 years, not a single such incident has been registered. For one, liquor and gambling dens have almost disappeared from these areas. Earlier, leave alone Hindus, even the educated among Muslims used to hesitate to go into those areas. But these areas are not feared any more. You see a lot of new construction activity in those areas because of new prosperity and hardly any crime. Crime prone cities are those where there are organized criminal gangs. Such gangs don't operate with impunity in Ahmedabad or other cities.

That is why we don't have incidents of women being abducted or little children held for ransom or trafficked in the way it is happening in Delhi. You have seen for yourself how young girls are seen riding on scooters in Gujarat well past midnight.

I don't say Gujarat has zero crime. No country in the world can claim that. But the crime rate is much lower than in other states and organized gangs have been brought under tight control. Earlier the Shiv Sena, Bajrang Dal, etc. used Hindu goondas while Congress patronized Muslim goondas. But since Hindu goondas have been defanged, Muslim areas have also gotten rid of their bootleggers and other criminals. You should check with the police how Muslim areas have become far easier to police due to a very low crime rate."

I do intend to check these claims during the course of my Gujarat study.

10

Neither a Rambo Act Nor a Publicity Gimmick

Modi Led Relief Efforts in Uttarakhand

When Saturday evening T.V channels brought the news that Narendra Modi's visit to Uttrakhand to oversee relief operations had kicked off a major political storm, I decided to go and check for myself whether this was indeed a cheap publicity gimmick as alleged by the Congress and its minions or a serious response to a humongous tragedy. During the course of my study of post 2002 Gujarat, I had heard glowing accounts of how Narendra Modi had handled the reconstruction of towns and villages affected by the Bhuj earthquake. Even during the Surat floods, Modi combined efficient short term relief with long term measures to avert such tragedies. All that was in past tense. I wanted to see if the Disaster Management system was still in place.

Those who disparagingly called Modi a Rambo or a publicity hungry politician have no clue what they are dealing with. He is an institution builder par excellence and a statesman who believes in using state power to serve people and knows how to do it. This is proved by the fact that:

- Gujarat today has a fighting fit bureaucracy because it was enabled to develop expertise, team spirit and deliver results under the most adverse circumstances. It is also empowered and encouraged to take on-the-spot decisions rather than wait to seek "permission" from "higher ups".

- The Gujarat Disaster Management Authority (GDMA) has become a thoroughly professional institution capable of responding to natural or manmade disasters. It has a 24x7 monitoring system and well publicized helpline numbers well known to Gujaratis—both in the country and abroad.
- Modi has succeeded in conveying to the citizens of Gujarat that the Government is always there to serve them. That is why the first response of Gujaratis anywhere in the world is to contact the CM's office if they are caught in a calamity. He himself acts with lightning speed, anticipating problems and finding advance solutions rather than be overwhelmed by them.
- Modi's deep personal knowledge of every region of India and contacts with an amazing range of people and institutions in almost every part of India, thanks to the years he spent as a pracharak are a big asset in responding creatively to sudden challenges.

For example, Modi arrived in Delhi late 17th night for a meeting with the Planning Commission on 18th when news of cloudburst and landslides was telecast on TV. He held

an emergency meeting to take stock of the situation since he knew that thousands of Gujaratis are likely to be among the Chardham pilgrims. Due to his close personal knowledge of Uttrakhand he anticipated it had the makings of a major tragedy. Right away, a camp office was opened at Gujarat Bhavan and the Resident Commissioner's team in Delhi were made responsible for coordinating with Gujarati pilgrims.



The relief centre set up by the Government of Gujarat in Dehradun with the help of Gayatri Pariwar

On 18th morning, Modi called Dr Pranav Pandya of the All World Gayatri Parivar to provide space and infrastructure in his Shanti Kunj campus for the relief centre proposed to be set up by the Gujarat Government. He chose this campus because of his close knowledge of and rapport with this Gandhian institution which can house and feed thousands of people at short notice. It has a 2000 strong community of dedicated swayam sevaks on the campus plus 3000 odd students of the Dev Sanskriti University who are also infused with the seva bhav that is the hallmark of Gayatri Pariwar. The 90 acre campus also has a well-run hospital. This institution for social service and national reconstruction was set up by Acharya Ram Sharma who took his inspiration from Mahatma Gandhi whose message of service is infused in every aspect of Gayatri Pariwar.

Modi's personal rapport with Dr Pandya dates back to his pracharak days. Gayatri Pariwar had also joined hands with Gujarat Government during the reconstruction work in earthquake affected villages in Bhuj. Therefore, this was a tried and tested institution for Modi. Even on its own it was also providing food, blankets and other necessities to stranded pilgrims and local population through the air force helicopters.



One phone call to Dr Pandya on the 18th and by the same evening a set of computers with internet connection, along with telephone lines, T.V and all other paraphernalia required for Gujarat Government's Relief Operation set up. Therefore, when a team of Gujarat Government IAS, IPS and IFS officers led by Principal Secretary and Relief Commissioner P K Parmar came, they could get going within minutes of reaching Shanti Kunj. Their team included two officers who hail from

Uttarakhand with close knowledge of the terrain to guide both the stranded pilgrims as well as rescue teams on the safest possible routes to take. Assistant Director General of Police Mr Bisht who hails from Uttarakhand went straight to Gupta Kashi from where the rescue operations are being launched. He has trekked to Kedarnath, Gaurikund and other places to track down trapped pilgrims. A team of seven doctors trained in handling such emergencies, led by an orthopaedic surgeon, not only put in place an efficient first aid service but were also attending to those severely injured. Here again the approach was pro-active. They went to other relief camps and railway stations to attend to non-Gujarati pilgrims as well.



Fleet of buses mobilized by the Government of Gujarat to transport rescued pilgrims

The mandate of Team Gujarat in Uttarakhand is: take good care of rescued pilgrims as they arrive. But once they are recovered, send them home at the earliest possible in the most comfortable manner. Don't worry about expenditure or numbers.This is the standard approach of Gujarat government: 'Plan for all, not a set number. Be prepared to handle as many as need the services rather than turn away people for lack of resources.'

As always, officers on the ground have been empowered to take on the spot decisions, to decide how many luxury buses or taxis they need, how many pilgrims need to be sent by air and what kind of air craft to order. It is not as if the rich are being sent by air and the poor by buses. The decision is need based.

Thus when Modi landed in Dehradun, Team Gujarat was already in control. Far from attacking the state government, he offered all possible help to CM Bahuguna. In addition, he synergized resources, energized BJP workers to get going, not just for immediate relief but also long term reconstruction work. All his officers were provided phone numbers of BJP functionaries of all 190 blocks in Uttrakhand and vice versa. As usual he worked 20 hours a day to guide and streamline the operations. The spirited enthusiasm of Gujarat govt staff and BJP workers had to be seen to be believed.

I saw senior IAS officers working 24x7 alongside very junior staff in one single room as a close knit team.

Similar help counters have been set up at the railway stations and airports in Gujarat to help people reach their homes safely.

Congress Party is understandably upset because the UPA government is not only scam ridden but also rudderless. Congress run state governments have proved either lackluster

or disastrous as in Uttarakhand. Congress party machinery is in disarray, Congress Sewa Dal workers are nowhere in sight, Rahul's Youth Brigade is clueless even in routine situations, leave alone know how to face a crisis like the Uttarakhand deluge.

Phobic responses to Modi and hate campaigns against him for doing the right thing make the Congress Party look ridiculous in its vulnerability and heightens its image of incompetence and venality.

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The Gujarat Lokayukta Controversy

Media Peddles Partisan Propaganda

When it comes to Narendra Modi, even the doyens of Indian journalism forget the most elementary norms of ethical journalism. When Justice Mehta wrote a letter refusing to take charge as the Lokayukta and making all manners of allegations against the Gujarat government, every newspaper published his version in full, making him out to be a knight in shining armour and a martyr to the authoritarian whims of Narendra Modi. No newspaper or TV channel reporting this story thought it fit to publish the version of Gujarat Government. Now that I am studying post 2002 Gujarat, I decided to dig out the facts for myself. Here is a summary of what I found:

The Partisan role of the Governor: The Congress party has a long tradition of misusing the office of the Governor tocreate trouble for non-Congress state governments—from arbitrarily dismissing duly elected state governments to creating endless hurdles in the day to day functioning of State governments.

Governor Kamla Beniwal has taken this adversarial role to unprecedented heights. Her predecessor Nawal Kishore Sharma, though a Congressman, had an extremely cordial and warm relationship with Gujarat chief minister and often praised Narendra Modi's development centric governance. He is remembered for upholding the dignity of the Governor's office in letter and spirit.



Nawal Kishore Sharma

However, Governor Kamla Beniwal has been at loggerheads with the Gujarat government from the very day she was appointed on 27 November 2009. She herself is far from an epitome of integrity. Among other things, she has been accused of grabbing land in Rajasthan through a farmers' cooperative society -- Kisan Samuhik Krishi Sahkari Samiti--which is alleged to have committed a lot of irregularities. According to the Registrar of Cooperative Societies, Jaipur, in 2010, Beniwal pressured the Ashok Gehlot government to drop the proceedings for dissolution of this cooperative society.

Constitutional Restraints Expected of Governor: Article 163 of the Indian Constitution mandates that the Council of Ministers is to aid and advice the Governor in the exercise of his/her functions. The Council of Ministers is headed by the Chief Minister and therefore, in all important matters requiring Governor's participation, she cannot ride roughshod over the views of the Chief Minister and his council of ministers. Nor can the Governor initiate and take arbitrary decisions or make appointments at her will, leave alone of a crucial office such as that of the Lokayukta. The Chief Minister as the Head of the Council of Ministers is an important player in such appointments.



Kamla Beniwal

But Governor Beniwal has acted as the fighting sword of the Congress Party in Gujarat, obstructing any and every move of the Gujarat government—from enactment of new laws or appointments that require her signatures—with a view to making life as difficult as she can for the Narendra Modi government. Several new laws passed by the Gujarat Assembly to streamline administration have been withheld consent of the Governor.

The legal position as well as the protocol expected with regard to the appointment of the Lokayukta is that there be effective and meaningful consultation between the executive head of the state, namely the Chief Minister, the Chief Justice of the state and the Leader of the Opposition for selecting a suitable person for this important post. However, the Gujarat Governor acted as though she alone was the appointing authority. The Supreme Court has in fact passed strong strictures against her trying to overreach and step far beyond the powers granted to her under the Constitution.

Sequence of events pertaining to appointment of Justice R. A. Mehta as Lokayukta: Modi Bashers have indulged in a systematic misinformation campaign through a pliant media that the Gujarat government has resisted the appointment of Lokayukta for 7 long years. Facts tell a contrary story.

Way back in 2006, Chief Minister Narendra Modi himself initiated the process for the appointment of Lokayukta. The State Government wrote a letter to the Chief Justice of the Gujarat High Court eliciting his views on the proposed appointment of Justice K. R. Vyas, former Chief justice of Bombay High Court as the Lokayukta.

1.The then Chief Justice of Gujarat High Court consented to the name.

2. Simultaneously, the Governor was also requested to consider the appointment of Justice K. R. Vyas. Several months later, the proposal was returned back from the Raj Bhavan expressing reservations and seeking clarifications regarding the appointment of Justice Vyas.

3. The clarifications sought for by the Raj Bhavan were provided to her with a request to consider the name of Justice K. R. Vyas for appointment as Lokayukta. However, the Governor turned down the request.

4. Thereafter, the Chief Minister requested the Chief Justice to suggest a panel of three retired Judges of the High Court of Gujarat for consideration for appointment as Lokayukta, on receipt of which, the formal procedure for appointment as stipulated in the Act would be undertaken afresh. The Chief Justice proposed four names: **1)** Justice Pravinsingh Motisinh Chauhan**2)** Justice Babulal Chandulal Patel 3**)** Justice Ramesh Prabhudas Dholakia**4)** Justice Jayprakash Ramakant Vora (in no order of preference)

Governor Beniwal Exceeds Her Brief & Collaborates with Leader of Opposition: The Chief Minister then requested the Leader of Opposition to participate in the process of consultation for appointment of Lokayukta. However, the latter raised an objection that under the provisions of the Gujarat Lokayukta Act, there is no scope for consultation with the Chief Minister of the State either by the Governor or by the leader of opposition.

In blatant violation of her constitutional role, in September 2009, the Governor while turning down the proposal to appoint Justice K. R. Vyas sent a confidential letter to the Chief Justice of the Gujarat High Court requesting him to suggest a panel of names for consideration for appointment as Lokayukta of Gujarat.

Meanwhile Governor Beniwal independently carried out consultation with the Leader of the Opposition without informing the Chief Minister. At this, the State Government requested for a factual clarification of her role. She communicated to the Chief Minister that she had already held meetings with the Leader of Opposition for deciding on the Lokayukta. She further stated that the Lokayukta Act did not provide for Chief Minister holding consultation with the Leader of Opposition and that the CM had no role in the appointment of Lokayukta.

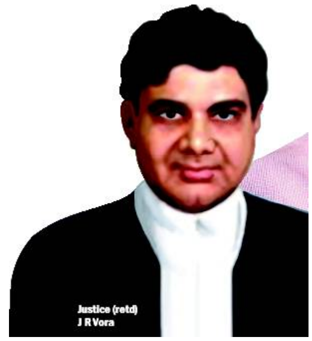
The Chief Minister did not accept the Governor's interpretation of the Lokayukta Act and considering the importance of the institution and the protocol requirements, again requested the Leader of Opposition to attend the next meeting for consultation process to finalize the name of the Lokayukta. The latter declined to participate and requested the Chief Minister to terminate the process of consultation forthwith as the Governor had already held the necessary consultation.

Meanwhile the formal process of consultation that had been initiated earlier by the Chief Minister was scheduled on 5th March, 2010 in which the Leader of Opposition chose to remain absent. Thereafter, Governor Beniwal invited the Chief Minister to discuss the issue and this meeting took place on the 8th March, 2010**.**

Following this meeting the Chief Minister made one last attempt to secure the cooperation of the Leader of the Opposition in the consultation process and sent him a letter on 18.3.2010 that a meeting had been convened on 22.3.2010 for arriving at an agreement on the name of the Lokayukta. He also let it be known that it was for the last time that he was making a request to attend the meeting for consultation process in the matter. Chief Minister quoted all the relevant judgments of the High Courts/ Supreme Court including the relevant and operative portion to emphasize the factual, legal and constitutional position in the matter.

On 22.3.2010, the CM received a letter from the Leader of Opposition stating that he had already been called for the consultation process by the Governor on 4.3.2010 and since the consultative process was already over and there cannot be two consultations on the same subject-- once by the Governor and second by the Chief Minister and/or the Council of Ministers. At the end of the letter, the Leader of Opposition mentioned that Chief Minister should not persist in undertaking an exercise of consultation by him which lacks legal, moral and constitutional authority.

Governor Sabotages Justice Vora's name: The formal meeting chaired by the Chief Minister on 22.3.2010 considered all the four names as recommended by the Chief Justice vide his letter dated 24.2.2010 and found that only Justice J. R. Vora was available for appointment. Since he was found suitable, the CM decided to recommend his name for approval by Council of Ministers. The State Council of Ministers approved the proposal to appoint Justice J. R. Vora as Lokayukta on 31.3. 2010 and his name was forwarded to the Governor for her consent. **It is important to remember that Justice Vora's name had not been arbitrarily picked by the CM; it had come from the Chief Justice.**



Justice J R Vora(Retd)

Nearly 5 weeks later, the Governor chose to refer the matter to the Chief Justice of Gujarat High Court without informing the State Government or the Chief Minister. Seven months later, the Chief Justice of the High Court informed the Government that he had given Justice J. R. Vora an alternative appointment as the Director, Gujarat State Judicial Academy even though he had been recommended for appointment as Lokayukta by the State Council of Ministers. It is noteworthy that Justice Vora's alternative appointment happened without keeping the State Government either informed or taking it into confidence.

Arbitrary Appointment of Justice Dave by the Governor: More than one year from the date of the Council of Ministers' resolution approving the appointment of Justice J. R. Vora, the Governor of Gujarat responded on 7.6. 2011 informing the Government for the first time that some parallel process occurred between the Governor and the Chief Justice following which the name of Justice Dave has emerged as the candidate for appointment as Lokayukta and hence, this matter be expeditiously processed. Responding to this, the State Government, through the Chief Minister responded to the Chief Justice of the Gujarat High Court stating that it considers Justice Dave to be inappropriate for the appointment, and that given his age (80 years at that time) and state of health, Justice Dave was himself unwilling to assume the responsibility. The CM again requested that the name of Justice J. R. Vora be reconsidered for appointment, especially since Justice Vora had shown willingness to take on the job.



Justice R A Mehta

The Chief Justice chose to ignore the request and suggested the name of Justice R. A. Mehta for appointment vide his letter dated **7.7.**2011. Responding to this, Chief Minister in his letter dated**16.7.2011**brought to the attention of the Chief Justice certain valid reasons for objecting to the appointment of Justice Mehta as the Lokayukta.Firstly, Justice Mehta had crossed the age of 75 years and given 5 year tenure of this jobstate government felt that Mehta may not be suitable for the arduous duties of Lokayukta. More importantly, Justice Mehta had provided enough evidence of being openly biased by making public statements on several forums against the state government. Gujarat government argued that given his ideological predilections, open hostility to the state government as well as involvement with NGOs who had been running a vilification campaign against Gujarat Government, he was not really qualified for the job. The CM once again requested the Chief Justice that since Justice J. R. Vora was a part of panel recommended by the Chief Justice himself, his name should be reconsidered.

The Chief Justice responded by saying that there was nothing on record which would make Shri Mehta ineligible for the post of Lokayukta. Meanwhile, the Governor sent further reminders to the State Government to expeditiously send a formal recommendation to her as regards Shri Mehta's name for appointment. The Leader of Opposition also conveyed to the Chief Minister that he had already given his consent to the Governor on the recommendation of name of Shri Mehta.

Chief Minister's Case against Justice Mehta: On 18.08.2011**, t**he Chief Minister, once again, addressed the following letter to the Chief Justice raising several questions regarding the suitability of Justice (Retired) R.A.Mehta for the post of Lokayukta citing concrete instances which displayed a prejudiced mind on the part of Justice Mehta against the present administration. The Chief Minister pointed out that the job of a Lokayukta required a person known to be impartial and fair minded while Mehta had been openly hostile to the state government from the very start. Therefore, the CM requested that another name of a recently retired judge may be recommended. The contents of the above letter dated 18.8.2011 deserve to be read in full:

> *"Kindly refer to your confidential d.o. letter dated 2nd August, 2011 wherein you have again recommended the name of Hon'bleMr. Justice (Retired) R.A. Mehta for appointment as Lokayukta, Gujarat State.While there cannot be any question of "ineligibility" of a person for appointment to the post of Lokayukta, Gujarat State merely because of his association with one or more NGOs, nor can it be said that a person who is working for a social cause after retirement would be "disqualified" for appointment to the post of Lokayukta. But the question in the case of Hon'ble Mr. Justice (Retired) R.A. Mehta is of his evident preconceived notion of bias against the present political dispensation. I am not making this statement without any basis. You may like to peruse some of the utterances of Hon'ble Mr. Justice (Retired) R.A. Mehta in different public fora:-*

- *“The marooning of Surat city and district and other areas of Gujarat could have been averted if the release of Narmada water from Ukai dam had been started 36-42 hours earlier with a rationalised flow rather than releasing 9 lakh cusecs of water from August 7 that was increased to 11 lakh cusecs within 24 hours.”*
- *“The wrong policies of the Gujarat Government to fill the dam to its maximum capacity in attempt to avoid shortage of drinking and irrigation waters had caused the floods.”*
- *(People’s Committee on Gujarat Flood2-2006 – A fact-finding Committee set up by two NGOs concluded that the flood was a man-made disaster. The PCGF was headed by Shri R.A. Mehta)*
- *It may be noted that Shri R.A. Mehta had pre-judged the issue without even verifying the facts. Later on, the Commission headed by Hon. Ms. Justice (Retired) Sugnaben Bhatt came out with different findings in the Report dated 7.7.2008. (Source : oneindia.in 10th July, 2007 – copy enclosed)*
- *In March 2002, Shri R.A. Mehta had called on the Chairperson of the NHRC and given an assessment of the situation highlighting the prevailing sense of insecurity in the community in general and the minority community in particular.(Source : NHRC Report, http.WWW.NHIC.IN)*
- *You may also recall that Jan Sangharsh Munch had suggested the name of Hon’bleMr. Justice (Retired) R.A. Mehta for Inquiry Commission headed by Hon’bleMr. Justice Nanavati, after Hon’bleMr. Justice K.G. Shah, passed away. This is an indirect testimony of the fact that Hon’bleMr. Justice (Retired) R.A. Mehta’s acceptability with the detractors of the State Government is very high.*
- *“What we witnessed today must be just a glimpse of the condition of internal displacement in Gujarat due to shameful 2002 violence. We as a panel collectively say that there can be no denial that these people have been internally displaced as a direct result of the communal riots of 2002. The position taken by the State Government that all affected people were rehabilitated is clearly not borne out. And this public hearing is proof that the State Government has not fulfilled its responsibility. For five years the rights of these internally displaced people have been denied to them.”*
- *(Shri R.A. Mehta was one of the panelists of AntarikVisthapitHakRakshaSamiti which held public hearing in February, 2007)(Source : expressindia.com – copy enclosed)*
- *“After hearing the jury concluded that the depositions and related stories suggest gross cover up and the spreading of a myth that there is no fear amongst the minority community in Gujarat and that the dark nights of 2002 should be forgotten as a nightmare. There is an intense, almost universal, sentiment of fear and growing despair among Muslims in the State.”*

Shri R.A. Mehta was a Jury Member for Anhad and Centre for Social Justice which held public hearing on 22nd February, 2011. (Source : daily.bhaskar.com – copy enclosed)

- *“There is an intense, almost universal sentiment of fear and growing despair*

among Muslim citizens of Gujarat"

Shri R.A. Mehta was a Jury Member at the public hearing "Tracing Lives of Muslims in Gujarat Post – 2002 – organized jointly in Ahmedabad by several Human Rights Associations. (Source : IMO admin Communalism, Indian State, 17th March, 2011 – copy enclosed)

It can be seen from the above that the question is not of Shri R.A. Mehta maintaining high standards in the society, or of not having made any public statement which is detrimental to the society, but the question is of his preconceived opinion and strong prejudiced mind-set against the present political dispensation in the State. While he may be technically eligible for being considered for appointment as Lokayukta, the moot question is whether such a person having a strong biased perspective for the Government in the State if appointed as Lokayukta, will be able to perform his duty with the high level of objectivity, judiciousness and impartiality expected of the Lokayukta. In all fairness, the answer to this question will be in the negative. Although, I have no personal reservation against the name of Hon'bleMr. Justice (Retired) R.A. Mehta, but as the Head of the State Government, I am afraid, I may not be able to accept the name of Hon'bleMr. Justice (Retired) R.A. Mehta, who, in my view, cannot be considered the most suitable choice for the august post of Lokayukta, Gujarat State.

The other important aspect of the age is also not in his favour. We need to have a relatively younger person for the office of Lokayukta, Gujarat State, as the term for the Lokayukta is of five years. Hence, it would be in the fitness of things, if you could recommend the name of a Judge who has recently retired from the service.

I am sure you will take the contents of this letter in proper perspective and in right spirit, and recommend another name for the vacant post of Lokayukta, Gujarat State."

The Chief Minister simultaneously addressed a letter to the Governor refuting allegations of delay on behalf of the State Government and pointing out that the delay was owing to a number of constitutional, legal and procedural issues raised from time to time by the different functionaries involved in the process of the appointment. He pointed out that the Governor's view that the Chief Justice must recommend a single name for the concerned Lokayukta post instead of a panel of names was misplaced as it was not being followed by any of the other States while appointing Lokayukta. Moreover, the State Government had raised certain specific and valid reasons for not accepting the recommended name and which had been communicated to the Chief Justice as well as the Governor and a response was awaited.

This letter was followed up by another request on 18.8.2011 by the Chief Minister stating that the name of any other recently retired judge may be recommended for appointment as the Lokayukta.

However, in brazen departure from established administrative norms and constitutional decorum, on 25.8.2011 the Governor of Gujarat chose to appoint Justice R. A. Mehta as the Lokayukta of Gujarat and issued the Warrant, ignoring the recommendations of the Council of Ministers.

High Court Gives Split Verdict: The State Government decided to seek judicial redress and filed a petition before the High Court of Gujarat challenging the appointment of Justice R. A. Mehta and issuance of Warrant.A Division Bench (2-Judge Bench) heard the matter and gave a split decision, with Justice Akil Kureshi holding the appointment to be valid and constitutional and Justice Sonia Gokani in favour of quashing the appointment. Consequently, the Chief Justice nominated a third Judge, Justice V.M. Sahai to hear and decide the matter. Justice Sahai, on 18.1.2012 gave a judgment, concurring with Justice Akil Kureshi, and consequently the appointment of Justice R.A. Mehta was upheld. But the State Government filed an SLP to the Supreme Court challenging the decision of the High Court.

Supreme Court's Indictment of the Role of Governor: However, ignoring the SLP, the Governor of Gujarat chose to arbitrarily appoint Justice R. A. Mehta as the Lokayukta. The contention of the Gujarat government that under Article 163 the Governor is required to be guided by the advice tendered by the council of ministers has been upheld by the Hon'ble Supreme Court in its judgment dated 2.1.2013:

> *"....The Governor consulted the Attorney General of India for legal advice, and communicated with the Chief Justice of the Gujarat High Court directly, without taking into confidence the Council of Ministers. In this respect, she was wrongly advised to the effect that she had to act as a Statutory Authority and not as the Head of the State …."*

The Supreme Court further made the following observation, regarding the role of the Governor:

> *"i) "it appears that the governor had been inappropriately advised and mistook her role, as a result of which, she remained under the impression that she was required to act as a statutory authority in the Act, 1986, and not as the Head of the State.*
>
> *ii) The present Governor has misjudged her role and has insisted that under the Act, 1986, the Council of Ministers has no role to play in the appointment of the Lokayukta, and that she could therefore fill it up in consultation with the Chief Justice of the Gujarat High Court and the Leader of Opposition. Such attitude is not in conformity or in consonance with the democratic set up of Government envisaged. Therefore, the appointment of the Lokayukta can be made by the Governor, as the Head of the State, only with the aid and advice of the Council of Ministers and not independently as a Statutory Authority.*
>
> *iii) The Governor consulted Attorney General of India for legal advice and communicated with the Chief Justice of the Gujarat High court directly without taking in to confidence the Council of Ministers. In this respect, she was wrongly advised to the effect that she had to act as a Statutory Authority and not as the Head of the State."*

All Required Courtesies Extended to Justice Mehta Pending Apex court's Decision Even though his Appointment Itself was Malafide: Despite all this, the State Government accorded all courtesies that are due to the Lokayukta designate. For example, the Supreme Court of India delivered its judgment on 2.1.2013 disallowing the appeal of the State Government. Thereafter, the State Government, speaking through the Cabinet Minister for Law welcomed Justice R. A. Mehta's appointment as Lokayukta and deputed K. Srinivas, Secretary of the General Administration Department and Kamal Trivedi, Advocate General of the Gujarat State to formally invite Justice R. A. Mehta to assume office. Both these functionaries called on Justice R. A. Mehta at his residence on 6.1.2013 and communicated the State Government's decision.

Contrary to allegations made by Justice Mehta in his letter dated 9. 8. 2013, the State Government extended him full cooperation. In the meeting of 6.1.2013 at the residence of the Justice Mehta, he was given a copy of the current staffing pattern of the Lokayukta establishment and it was indicated that Government was willing to make any changes deemed appropriate. It was also brought to the notice of the Lokayukta designate that the State Government would be making adequate budgetary provision in the ensuing budget to meet with all required expenditure. Accordingly, budget provision for the office of the Lokayukta was raised to Rs. 63.40 lakh from Rs. 33.40 lakh in the year 2009-10. In addition, to enable the assumption of office by the Lokayukta designate arrangements for transportation including intent for a new car was made.

Charges of Delay in holding Swearing in Ceremony: It is an established administrative convention that a swearing in Ceremony for high public offices is organized to enable the dignitary to enter into office after completing due formalities. Thereafter on assumption of office, a notification is issued intimating the public at large that the dignitary has commenced work in the office. This is the practice with respect to appointments of Governors, the Chief Ministers, Members of the Council of Ministers and so on.

In the case of appointment to the office of Lokayukta also a similar procedure was under way. The Governor of Gujarat had issued a warrant of appointment. After the culmination of judicial inquiry on the subject, the Secretary of the General Administration Deptt., Govt. of Gujarat, K. Srinivas wrote a letter dated 26. 7. 2013 informing the Lokayukta designate to intimate a convenient date to organize a swearing-in Ceremony. A Notification would have followed this swearing in. This letter was issued and delivered to the residence of Justice Mehta and it was learnt that he was abroad during that period and was likely to return on around the 6.8.2013.

While the State Government was making all preparations for organizing the swearing in ceremony and while office complex of the Lokayukta was under speedy preparation by the State Roads and Buildings Department, the State government received through the media the letter written by the Lokayukta Designate to the Governor declining the post of Lokayukta while levelling false charges against the state government.

Justice Mehta's charges amount to challenging the right of the state government to seek redress from the higher judiciary to establish whether India's federal structure allows the Governor of a State to act in a unilateral, arbitrary manner or should he/she function as per the Constitution under the aid and advice of the Council of the Ministers? The Supreme Court has upheld this

contention of the State Government and has held in categorical terms that the Governor's action was "ill advised".

Justice Mehta also charged the state government of spending "Rs 45 crore of public money" in this litigation. Here again there is a factual error, not expected of a High Court judge. As per the state government which has to get its accounts audited, the amount spent on prolonged litigation forced by the Governor is Rs 1.6 crores, not 45 crores.

Subverting India's Federal Structure: The issue is not just of constitutional proprieties being violated by the Governor in appointing the Lokayukta. The issue is of much deeper importance- consistent misuse of the office of the Governor by the Central Government to undermine India's federal structure and subvert the functioning of duly elected state governments. However, instead of highlighting the unconstitutional and arbitrary acts of the Governor, the media as always has chosen to publish highly partisan version to lend support to their on-going incessant campaign to demonize Modi.

Contradictory Judgements by the Supreme Court in the case of Karnataka &Gujarat Lokayukta Appointment: In a similar matter a parallel bench of the Supreme Court has even upheld the primacy of the views of the political executive in the selection process of the Lokayukta in Karnataka case and this judgment was delivered less than 9 days after the Gujarat case. The SLP was decided by the Supreme Court in State of Gujarat &Anr. Vs. Hon'ble Justice (Retd.) R.A Mehta hereinafter known as the 'Gujarat case' on the 2nd of January 2013 by a bench of Justice B.S Chauhan and Justice Fakkir Mohammad Kalifulla in the matter of the appointment of Justice R.A Mehta as the Lokayukta for the state of Gujarat. (State of Gujarat & Anr. Vs. Hon'ble Justice (Retd.) R.A Mehta, 2nd January 2013. (http://www.indiankanoon.org/doc/182101909/)

On the 11th of January, 2013, a similar case was decided by the Supreme Court in Mr. Justice Chandrashekhariah (Retd.)Vs. Jankere C. Krishna & Anr. hereinafter known as the 'Karnataka case' by Justice K.S Radhakrishnan and Justice Madan Lokur in separate judgments which together form one judgement, in the matter of the appointment of Justice Chandrashekhariah (Retd.) as the Upa Lokayukta of Karnataka. (Mr Justice Chandrashekharaiah(Retd.) vs. Jankere C. Krishna & Anr.,11th January 2013 (http://indiankanoon.org/doc/15999541/)

However, even though the sum and substance of the matters in both the cases were very similar, the decisions were quite contrary.

When such obvious contradiction emerged, the State Government felt it was well within its rights to approach the Supreme Court of India to clarify the legal position. This was in addition to the ambiguity that resulted due to the unilateral action of the Governor in deciding on the appointment.

There are three main grounds on which the judgments spell out differently.

- There is a divergence of views in the interpretation of section 3, which deals with the 'Appointment of the Lokayukta' with regards to the language used in the description of the section.
- The role of the various authorities involved in the consultation process.
- Regarding the primacy and supremacy of the Chief Justice/ Chief Minister of the concerned state.

Primacy of the Chief Justice Vs Chief Minister: In the Gujarat case, it was inferred that the Chief Justice has primacy of opinion in the matter of consultation on the basis of the fact that,

> *"…the Chief Justice of the High Court of the concerned State, is the most appropriate person to judge the suitability of a retired Judge, who will act as the Lokayukta and the object of the Act would not be served, if the final decision is left to the executive. The opinion of the Chief Justice would be entirely independent, and he would most certainly be in a position to determine who the most suitable candidate for appointment to the said office is. This Court has, therefore, explained that, the primacy of the opinion of the Chief Justice must be accepted, except for cogent reasons, and that the term consultation, for such purpose shall mean concurrence."*

The functions of the Lokayukta and the Upa Lokayukta do not change from state to state. It is unclear how the Chief Justice is the authority of primacy in one state, but not in another. In the Karnataka case, para 33 of Justice Radhakrishnan's judgment states that *Lokayukta and Upa Lokayukta, while investigating the matters are discharging quasi-judicial functions, though the nature of functions is investigative*. And on the basis of this, it is decided that the Chief Justice need not be the supreme authority in making the decision of appointing the upa Lokayukta.

In Karnataka case Supreme Court declared appointment of Lokayukta invalid due to the absence of effective consultations with the CM:

In para 66, Justice Radhakrishnan specifies that:

"The Chief Minister, in my view, has however committed an error in not consulting the Chief Justice of the High Court in the matter of appointment of Justice Chandrashekaraiah as Upa Lokayukta. Records indicate that there was no meaningful and effective consultation or discussion of the names suggested among the consultees before advising the Governor for appointment to the post of Upa Lokayukta. The appointment of Justice Chandrashekaraiah as Upa Lokayukta, therefore, is in violation of Section 3(2)(b) of the Act since the Chief Justice of the High Court was not consulted nor was the name deliberated upon before advising or appointing him as Upa Lokayukta, consequently, the appointment of Justice Chandrasekharaiah as Upa Lokayukta cannot stand in the eye of law and he has no authority to continue or hold the post of Upa Lokayukta of the State.'

The decision was thus declared void when it was proved that the Chief Minister had acted in an erroneous manner and appointed the Upa Lokayukta without consulting the Chief Justice, who was to be one of the consulting authorities mentioned in section 3 (1) of the Act.. It quashed the

appointment mainly because the Chief Minister did not have an effective consultation with the then Chief Justice of the Karnataka High Court.

However, in the Gujarat case, although the Bench agreed in Para 42 that-- '*the judgments referred to hereinabove, do not leave any room for doubt with respect to the fact that, when the Governor does not act as a statutory authority, but as the Head of the State, being Head of the executive and appoints someone under his seal and signature, he is bound to act upon the aid and advice of the Council of Ministers. The Governor's version of events, stated in her letter dated 3.3.2010, to the effect that she was not bound by the aid and advice of the Council of Ministers, and that she had the exclusive right to appoint the Lokayukta, is most certainly not in accordance with the spirit of the Constitution. It seems that this was an outcome of an improper legal advice and the opinion expressed is not in conformity with the Rule of Law. The view of the Governor was unwarranted and logically insupportable*'--they did not declare the decision as void.

In spite of deciding the above, it is unclear how in Para 45, it is claimed that the 'consultation' was complete, when actually the Chief Minister of the State was never asked for any opinion **before** making the appointment:

> "*The facts mentioned hereinabove, make it crystal clear that the process of consultation stood complete as on 2.8.2011, as 3 out of 4 statutory authorities had approved the name of Justice R.A. Mehta and the Chief Justice provided an explanation to the Chief Minister regarding the objections raised by the latter, with respect to the appointment of Justice R.A. Mehta to the post of Lokayukta, vide letter dated 16.6.2011*.

They still upheld the appointment of Justice Mehta as the Lokayukta even though the decision had been made without consulting one of the key authorities mentioned in section 3 of the Gujarat Lokayukta Act, 1986.

The Supreme Court claimed in the judgment of the review petition filed by the Gujarat government that the provisions of the Gujarat Lokayukta Act and Karnataka Lokayukta Act are different from each other and hence have to be interpreted differently. However, on using the golden rule for interpretation (also known as the literal rule), it is clear that the consultations with the Chief Minister and Chief Justice are definitely a vital part in the decision of appointment of the Lokayukta and the Upa Lokayukta.

Justice Radhakrishnan, has expressed that:

"If the Chief Minister proposes to suggest or advise any name from the source earmarked in the statute, that must also be made available to the consultees so that they can also express their views on the name, or names, suggested by the Chief Minister. Consultees can express their honest and free opinion about the names suggested by the other consultees, including the Chief Justice or the Chief Minister. After due deliberations and making a meaningful consultation, the Chief Minister of the State is free to advise a name which has come up for consideration among the consultees to the Governor of the State. The advice tendered by the Chief Minister will have primacy and not that of the consultees including the Chief Justice of the High Court. The

Governor cannot appoint a person who does not fall in that source and satisfies the other eligibility criteria…” If the schemes of both the acts for the states of Gujarat and Karnataka are similar in nature, why is the Supreme Court not upholding this rule for the appointment of the Lokayukta in Gujarat?

It is ironic that even after indicting the conduct of Governor Beniwal, the Supreme Court upheld the appointment of Justice Mehta despite the fact that it recognized that due process had not been followed in his selection.

Post script: Gujarat Government’s Position Upheld also in Bihar Universities Case: On the 19th of August, 2013, the Supreme Court bench comprising Justice G.S. Singhvi and Justice Kurian Joseph stayed the appointment of nine Vice Chancellors in various universities in Bihar made unilaterally by the then Governor cum Chancellor Devanand Konwar. These appointments were declared illegal simply because they were made without any effective consultation with the state government. Mr. Konwar had already been reprimanded once in the past for making two VC appointments without complying with the provisions mentioned in the Bihar Universities Act, 1976 and the Patna University Act, 1976. The government had then moved the Patna High Court and obtained orders declaring the two appointments void. The High Court had also asked the chancellor to prepare a fresh panel and send it to the government for consultation. When this panel of names was rejected by the government, the governor still went ahead and made appointments just before his tenure ended. This decision was looked at by the court as “contemptuous disregard” of orders passed by the high court and as illegal because “effective consultation” had not been invited by the governor.

The facts leading to this Supreme Court judgment are uncannily similar in nature to the facts in the appointment of the Gujarat Lokayukta. If the Supreme Court can give orders staying/ quashing appointments in situations where the Governor has taken a decision without fulfilling his constitutional responsibility of consulting the government, it is baffling how it failed to notice this discrepancy in the Gujarat Lokayukta case.

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To be continued...

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